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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Third periodic reports of States parties

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND*

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*For the initial report submitted by the Government of the United Kingdom, see CEDAW/C/5/Add.52 and Amend.1-4; for its consideration by the Committee, see CEDAW/C/SR.155, CEDAW/C/SR.156, CEDAW/C/SR.159 and CEDAW/C/SR.160, and Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38 (A/45/38), paras. 167-213. For the second periodic report submitted by the Government of the United Kingdom see CEDAW/C/UK/2 and Amend.1; for its consideration by the Committee, see CEDAW/C/SR.223 and Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38 (A/48/38), paras. 523-589. This document has been reproduced without formal editing.

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PART I

GENERAL BACKGROUND

a. Describe as concisely as possible the actual, general, economic, political and legal framework within which the United Kingdom approaches the elimination of discrimination against women in all its forms, as defined in the Convention.

Population

The population of the United Kingdom was 58.2 million in 1993, of which 29.7 million, 51%, were female. The population is expected to continue to increase but at a low rate. Life expectancy has been gradually increasing for both sexes and in 1992 was 79 years for women and 73.6 years for men.

Since the mid 1980s the number of births each year has remained at around three quarters of a million, though the mean age of mothers at the birth of their first child in England and Wales has risen from 26.2 in 1971 to 28.1 years in 1993. The "Total Period Fertility Rate", which gives the average number of children born per woman if current age-specific rates remained the same throughout her childbearing life has fallen in the UK since 1990 to 1.76 in 1993, a trend similar to that of other Western European countries. The proportion of women delaying childbearing until their 30s continues to rise: in 1947 only 19% of women born in England and Wales were childless at the age of 30, whereas it is expected that over one third of the women born in 1967 will be childless at the same age. Evidence from the General Household Survey suggests that many more women will never have children. Current projections show that as many as 20% of women born after 1960 will remain childless, the majority of them by choice.

The UK continues to have an ageing population. In 1992, 5% of males and 8% of females were aged 75 and over, and women accounted for 62% of this age group. In 1993, over 18% of women were aged 65 and over and this proportion and the proportion of women over the age of 80 are expected to continue to grow. The impact of an ageing population is a concern not just for the UK but for Western Europe as a whole. The UK population is largely an urban one, with around 30 million people living in Greater London, other Metropolitan districts, cities and industrial conurbations. The remaining population live in new towns, resort and retirement areas, mixed urban/rural districts or remoter rural areas. However the trend is for the population to fall in urban areas and to increase in non-metropolitan areas, particularly in new towns and resort and retirement areas. The population in remote rural areas has shown a very small increase but remains low at just under 11% of the total population.

Around 1.4% of the adult population (age 16 and over) belonged to the Indian ethnic group in 1994, of whom 20% were born in the UK. The Black ethnic group was slightly smaller at 1.3% of the adult population, of whom over one third was born in this country. Overall, the ethnic minority population constituted 4.9% of the total population of Great Britain aged 16 or over, at 2.1 million. However, 33% of the ethnic minority population was under 16, compared with 19% for the White population. Ethnic minority populations are concentrated in urban areas.

Excluding movements between the United Kingdom and the Irish Republic, over the period 1988 to 1992 an average of 243,000 people entered the country each year to stay for at least a year - a third more than in the same period ten years previously. The number of British citizens leaving the country to live abroad in 1988 to 1992 was on average 134,000, 11% lower than in the same period ten years previously. In 1988 to 1992, 58% of immigrants were non-British citizens, just under half of whom were from the European Union.

There are an estimated 6.2 million adults with at least one disability ranging from a mild impairment to a severe disability, of whom around 3.6 million are women. Women's higher representation is due to the higher proportion of disabled women over 75 years of age. Below that age the prevalence of disability is roughly equal between men and women. As at April 1994, a total of 374,182 people were registered disabled under the Disabled Persons (Employment) Act 1944, of whom 96,888, 26%, were female.

Family Structure

The number of households continues to increase, partly because households now contain fewer people. In 1993 more than a quarter of the households in Greater Britain were one person households, almost double the proportion in 1961. Women over pensionable age comprise the largest group among single person households, numbering 2.4 million of a total of 5.6 million such households in 1993 in England and Wales. In 1991, 69% of women aged 75 and over were living alone. However, the growth in the number of one person households overall is attributable to the growth in the number of men over pensionable age living alone.

Family structure also continues to change. Between 1971 and 1991 the number of marriages in the UK fell by 24%, but rose slightly in 1992 to stand at 356,000. The number of divorces continued to rise to 173,000, representing 49 divorces for every 100 marriages. The tendency for cohabitation has continued to increase with 7% of non-married women aged 16 to 59 cohabiting. In particular, cohabitation was popular among younger women; almost 30% of women in the 25 to 34 age group were cohabiting in 1991-1992. Almost one in three births in 1993 occurred outside marriage, with around three quarters of such births occurring within stable relationships.

The most common type of family unit is still that of two parents with their own children, comprising 71% of all families. In 1992 lone parent families formed 19% of families with dependent children; this was an increase of around 5% on 1991 and over 50% on 1985. In 1992, 37% of lone mothers were single. The increase in the numbers of lone parent households since the 1980s is mainly as a result of the increase in never-married single mothers, although marital break-up is still the main reason for the formation of lone parent families. In 1992, 11% of all families with dependent children were headed by a divorced or separated mother and 7% by a single never-married mother.

Economy

The United Kingdom operates a free market economy within the European Union. Following the recession of the early 80s the UK experienced - along with many other countries in the industrialised West - another sharp recession in the early 1990s. However, since 1993, the labour market has slowly improved and recovery now seems well established borne out by several measures of employment.

In recent years there have been marked changes in the distribution of jobs between sectors and in the types of employment available and these trends are set to continue. In particular, the growth of the service sector, where more women tend to be employed, is likely to continue. There has also been significant structural change within many organisations with the contracting-out of peripheral activities. Generally there is a wider trend towards progressively greater flexibility of employment.

Women's employment, which accounted for almost two thirds of new jobs created between 1983 and 1990, is expected to continue to increase and women are less likely to be unemployed than men. The proportion of women working part-time has increased from 38% in 1979 to 42% now, as has the proportion of men working part-time - currently nearly 8% compared to less than 5% in 1984. However the age profile for part-time work is significantly different for men and women: nearly two-thirds of female part-timers are aged between 25 and 49, whereas more than three quarters of male part-time workers are under 25 or over 50 years of age.

Following a dip caused by the recent recession, self-employment has continued to grow. In June 1994, 13% of those in employment were self employed, compared to 11% in 1983. Males dominate self-employment and in 1993 about three quarters of those so employed were male. Trends in women's self-employment have been equally stable. In 1984, 6% of all women in employment were self-employed compared with 7% in 1994. Over the last decade women have represented around a quarter of all self-employment.

While women are increasingly well represented in a wide range of professions, relatively few women have yet reached senior management levels in industry - traditional expectations of long working hours and geographical mobility present key obstacles to women's progress as do stereotyped expectations and attitudes. Amongst the more radical developments, the Church of Ireland voted for the ordination of women priests in 1990, followed by the Church of England in 1992. (The Church of Scotland has ordained women priests for several years. The Church of Wales is still debating the issue of women's ordination.)

A large increase in the number of childcare places available -from 698,000 in 1986 to 985,000 in 1993 - has helped support women's participation in the labour force. Childcare provision for children under five is made through registered childminders, private sector and local authority day care nurseries. More than 90% of pre-school children with working mothers use some form of day care compared with two thirds of those with non-working mothers. Men are now slightly more likely to contribute to domestic responsibilities and the care of children, although only about a quarter of all couples share domestic responsibilities equally.

Public Life

Women's representation on local authorities and on other public bodies has increased to around one in four and one in three places respectively. However, representation of women and hence their scope for influence in key decision-making areas - in particular in national parliamentary posts, in the judiciary, in international affairs and in trade unions - remains limited.

The Government has introduced a new initiative which is proving effective in increasing the number of women on public bodies within its control. There has also been improvement in the representation of women on merit at the top of the Civil Service and action taken to tackle under-representation in the hierarchy.

IMPLEMENTATION OF THE CONVENTION

b. Describe any legal and other measures adopted to implement the Convention, or their absence, as well as any effects which ratification of the Convention has had on the United Kingdom's actual, general, social, economic, political and legal framework since entry into force of the Convention for the United Kingdom.

Effects of Ratification of the Convention

Much of the Convention is already reflected in UK law and practice. A description of the key laws governing sex discrimination is set out below and in detail under Article 2. Therefore the Convention serves principally as a useful framework for review of progress on a similar standing with that of other United Nations Conventions which the UK has ratified.

There have been a number of positive developments in the law and in practice in the United Kingdom since the last report to the CEDAW Committee in 1991. They are considered, along with obstacles to progress, in detail in Part II of the report, and include:

- a new Cabinet Sub-Committee on Women's Issues established in 1992 building on the work of the Ministerial Group on Women's Issues established after the third UN World Conference in Nairobi in 1985;

- new laws which improve the rights of pregnant workers (1993); the requirement on employers to justify a pay difference where valid statistics show that a predominantly female group is paid less than a predominantly male group, where the work done by each group is equal in value; the establishment of sexual harassment as a criminal offence in some circumstances (1995); and the challenging of discriminatory terms in collective agreements in industrial tribunals (1993);

- more women on public bodies - up from 23% in 1990 to 30% in 1994 - following the Prime Minister's 1991 initiative to increase their representation to between a quarter and a half on public bodies for which the Government is responsible. A commitment from all political parties to improve representation of women in their ranks;

- new national targets for health including breast and cervical cancer introduced under "The Health of the Nation" 1992 Government publication;

- a new Government-funded Child Support Agency established in 1993 to ensure absent fathers pay for the maintenance of children;

- further Government support for childcare, with the launch in April 1993 of the Out of School Childcare Grant which plans to create some 50,000 new after-school and holiday childcare places for the over 5s over three years;

- a new Ministerial Group on Domestic Violence established in 1994, action to improve the response of all agencies concerned, and a Government publicity campaign to help combat domestic violence;

- a new requirement for Training and Enterprise Councils, in charge of Government training programmes, to establish and monitor the delivery of equal opportunities in all their programmes from 1994;

- a new Development Unit established in 1994 to develop the means to secure the potential, skills and expertise of women in science, engineering and technology professions where they are currently under-represented.

Reservations and Declarations

This third periodic CEDAW report responds to the request by the UN Secretary General to provide further information about UK reservations and declarations and to seek to withdraw statements which no longer seem appropriate in light of the operation of the Convention or which have been made unnecessary by changes in UK law.

Subject to the provisions of the Treaty, all States Parties are permitted to enter reservations and declarations when becoming party to a convention in accordance with international law. The United Kingdom Government takes its obligations under international conventions very seriously, and does not believe that any of the reservations or declarations entered in 1986 were contrary to the spirit of the Convention. However, reservations and declarations are kept under review. We were able in 1994 formally to withdraw a reservation under Article 11 about underground working and the entire reservation under Article 13 about tax.

On its ratification of CEDAW, the UK entered a large number of detailed statements. These were thought necessary to avoid any doubt as to how the broad principles contained in CEDAW were to be interpreted within the UK's common law tradition. The statements provide an accurate description of how the UK interprets the Convention. However, following our review of these statements, based on ten years experience since the UK acceded to the Convention, it seems that some of the issues raised by these statements can be dealt with equally appropriately in periodic reports to the CEDAW Committee.

We are therefore able to announce plans to withdraw almost all of these statements, specifically:

- (b) A general statement identifying the laws used to implement CEDAW in the UK;
- Article 1 on marital status;
- Article 2 subparagraphs (f) and (g) on considerations of economic policy;
- Article 2 subparagraphs (f) and (g) on sexual offences and prostitution;
- Article 10 on parental choice and the direction of educational establishments*;
- Article 10 subparagraph (c) on government responsibility for education and on diversity of educational establishments*;
- Article 11 paragraph 1 on the health and safety of women or the human foetus;
- Article 11 those specific provisions of UK social security legislation which previously discriminated in treatment in caring for a severely disabled person; and retirement pensions and survivors benefits under specific Social Security Acts;
- Article 15 paragraph 2 on the term "legal capacity";
- Article 16 paragraph 1 on disposal of property.

A commentary on all UK statements is provided at Annex A.

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* *listed in error under Article 9*

COMPLIANCE WITH THE CONVENTION

c. Describe whether there are any institutions or authorities which have as their task to ensure that the principle of equality between men and women is complied with in practice, and what remedies are available to women who have suffered discrimination.

UK legal framework

The UK has a comprehensive legal framework to combat and deter sex discrimination and to help ensure that recourse to justice is speedy and accessible. The Government and the Equal Opportunities Commissions also work to ensure that the public is made aware of the rules of sex discrimination and equal pay legislation.

The Sex Discrimination Act of 1975 made sex discrimination unlawful in employment, vocational training, education, the provision of goods, facilities, and services, and the management and disposal of property. It gives individuals complaining of sex discrimination the right of direct access to industrial tribunal or civil courts. The Equal Pay Act gives individual employees the right to bring complaints seeking equal pay for work of equal value. The Act was significantly extended when the right to claim equal pay for work of equal value was introduced in 1983. Similar equal pay and sex discrimination legislation operates in Northern Ireland.

Equal Opportunities Commissions

The Equal Opportunities Commission for Great Britain (EOC) was set up in 1975 as an independent body under the Sex Discrimination Act. It is funded by Government and received £5.949 million in the 1994/5 financial year. Correspondingly, the Equal Opportunities Commission for Northern Ireland (EOC/NI) was established in 1976 and received £1.36 million in 1993/4. Funding of the Commissions has been sustained at a steady level.

The Commissions have wide powers of law enforcement which include conducting formal investigations and issuing non-discrimination notices where appropriate, assisting complaints to bring a case to Tribunal and drafting codes of practice. The EOCs also play an important role in keeping the operation of sex discrimination laws under review through their powers to make recommendations to Ministers for change in the law and to apply for judicial review. Additionally, they are involved in promotional and educational work on the law and good practice, and fund research and award grants for initiatives which are intended to progress equality of opportunity between women and men.

The Commissions have contributed to a number of changes in law and practice which include: improved maternity rights, equal access to credit finance for women and men and the extension of employment rights to part-time workers. Additionally their research reports aim to raise awareness in a range of subject areas, for example; "Labour Market Structures and Prospects for Women" (1994), a record of a conference held at Warwick University which highlighted increasing opportunities for women; "Black and Ethnic Minority Women in the Labour Market" (1994), a research report into the double discrimination faced by ethnic minority women; "Targeting Potential Discrimination" (1995), which dealt with job segregation; and "Women's Working Lives'(1993)", an account of women's paid and unpaid work in Northern Ireland.

ADVANCEMENT OF WOMEN

d Describe the means used to promote and ensure the full development and advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms in all fields on a basis of equality with men.

Government Machinery for Women

The UK now has a well-established national machinery for women. A Ministerial Group on Women's Issues was created in 1987 to establish the Government's commitment to combatting discrimination against women and the implementation of the UN's Nairobi Forward Looking Strategies. The Group was upgraded to a Cabinet Sub-Committee for Women's Issues after the General Election of April 1992, a development which has been welcomed by many women's organisations. For the first time the allocation of responsibility for women's issues went to a Cabinet Minster, the then Secretary of State for Employment, Gillian Shephard.

The terms of reference of the Sub-Committee are: to review and develop the Government's policy and strategy on issues of special concern to women, to oversee their implementation, and to report as necessary to the Ministerial Committee on Home and Social Affairs. The current members of the Sub-Committee include Ministers from key Departments including Education and Employment, Health, Social Security, Environment, Agriculture and Treasury as well as Ministers responsible for Wales, Scotland and Northern Ireland. Ministers from other Departments are invited to attend meetings where appropriate.

One of the developments in the implementation of policy since the last CEDAW report has been the introduction of guidance to help officials assess policy proposals to ensure that unlawful or unjustifiable sex or race discrimination does not occur (and that similar principles apply to people with disabilities, older people or ex-offenders). The guidance provides a brief guide to the law and an action checklist of steps to take. Most Government Departments have issued the guidance and progress is reviewed regularly.

Women's National Commission

The Women's National Commission (WNC) was set up in 1969 to reflect the views of women to Government. It is an independent advisory body, funded by the Government, made up of 50 representatives from the major UK women's organisations, including political parties, trade unions, professional associations, religious groups and ethnic minority women's organisations, and is chaired jointly by a Government Minister appointed by the Prime Minister and an elected member. The Government Co-Chair is also a member of the Cabinet Sub-Committee for Women's Issues.

For 25 years the Women's National Commission has been recognised as a means of consulting UK women on a wide range of policy issues. The WNC aims to:

- bring to the attention of Government any policies and practices which detract from the quality of women's lives;
- bring to the attention of member organisations any changes in Government policy and practice which will affect the lives of women;
- encourage women to take an active part in public life;
- promote a fuller dialogue with Government departments;
- monitor progress against the recommendations in WNC working groups.

ENFORCING PROVISIONS OF THE CONVENTION

*e. **Describe whether the provisions of the Convention can be invoked before, and directly enforced by, the courts, other tribunals or administrative authorities or whether the provisions of the Convention have to be implemented by way of internal laws or administrative regulations in order to be enforced by the authorities concerned.***

The provisions of the Convention cannot be invoked directly but are implemented through national legislation as described above and in further detail under Article 2 and elsewhere in the report.

PART II

ARTICLE 1: ELIMINATION OF DISCRIMINATION

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Reference should be made to previous reports by the United Kingdom and to comments under Article 2 of this report.

ARTICLE 2
LEGAL PROVISIONS

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

a. *To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realisation of this principle;*

b. *To adopt appropriate legislation and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*

c. *to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*

d. *To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*

e. *To take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise;*

f. *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

g. *to repeal all national penal provisions which constitute discrimination against women.*

A LEGAL PROVISIONS

There have been a number of improvements to the UK's equality laws and an apparent increase in the general population's legal awareness since the last report. There is also a growing body of evidence that the rationale underpinning UK sex equality legislation is becoming increasingly well-embedded in the personnel policies and practices of UK businesses. Details of changes in domestic legislation and up-to-date statistics of cases brought under the equality legislation are given under the relevant articles.

Equality under the law

As set out in previous reports, the practical realization of the objectives of the Convention is given effect through the provisions of national law, in particular the Equal Pay Act 1970 and the Sex Discrimination Act, 1975, each as amended. Similar equal pay and sex discrimination legislation operates in Northern Ireland. The Sex Discrimination Act 1975 made sex discrimination unlawful in employment, vocational training and education. The Act also makes it unlawful for any person concerned with the provision of goods, facilities or services to the public or a section of the public to discriminate on the grounds of sex. Therefore the law does not apply to transactions of a purely private and personal nature, for example, the provision of entertainment, refreshment or recreation to members of genuinely private clubs. The Act also protects against sex discrimination in the management and disposal of property. The Act does not apply to ministers of religion where the employment is restricted to one sex so as to comply with the doctrines of the religion, nor to voluntary bodies in certain circumstances, nor where the sex of the person is a genuine occupational requirement for a job. It gives individuals complaining of sex discrimination the right of direct access to industrial tribunals or civil courts.

To meet the UK's obligations under European Community law the Sex Discrimination Act 1986 extended the law to cover all employers, including those with 5 or fewer employees and private households. The Act also made it unlawful to compel a woman to retire from employment at a different age than a comparable male employee. In addition, the Employment Act 1989 and Northern Ireland equivalents reduced the extent of the exceptions from the prohibition on discrimination on the ground of sex in employment. In the fields of employment and vocational training, the law on sex discrimination now generally overrides discriminatory requirements imposed by or under legislation enacted before the Sex Discrimination Act.

The Equal Pay Act gives employees the right to bring complaints seeking equal pay for like work, work rated as equivalent and work of equal value.

The employment provisions of the Sex Discrimination Act and Equal Pay Act apply to Government Departments and other public sector bodies in the same way that they apply to those in the private sector. Further information about the way in which the Civil Service promotes equal opportunities is provided under Article 7.

Review of the Sex Discrimination and Equal Pay Acts

In 1988 and 1990, as part of its statutory duty to keep the operation of the law under review, the Equal Opportunities Commission made recommendations to Government for some very wide-ranging amendments to the sex discrimination and equal pay legislation. The Government, in its response to these proposals, said it did not believe that the UK sex discrimination or equal pay legislation needed such fundamental revision. However, the Government agreed with a number of the EOC's detailed recommendations, and these are being taken forward. Where relevant, these are described in more detail below.

Industrial Tribunals

Those who believe they have been discriminated against on the grounds of sex in the employment field or who are not receiving equal pay may make a complaint to an industrial tribunal (IT). The Equal Opportunities Commission is also empowered under the Sex Discrimination Act to assist an individual complainant in certain specified circumstances, for instance in cases where an issue of principle is at stake; where it is unreasonable to expect the individual to deal with the case unaided; or where some other special consideration applies. In such cases the Commission's assistance includes the giving of advice, seeking a settlement, arranging for legal advice, assistance or representation or any other form of assistance the Commission considers appropriate.

Tribunals are intended to provide a nationwide cheap, quick and informal system of redress. In 1993-94 industrial tribunals in Great Britain disposed of 2,749 formal complaints about sex discrimination and equal pay. Many equal pay and sex discrimination complaints are settled without the need for a tribunal hearing because of the assistance of the EOCs and the Advisory, Conciliation and Arbitration Service (ACAS) which has the general duty of promoting the improvement of industrial relations and must, in the case of complaints brought under the Sex Discrimination or Equal Pay Acts, attempt to promote a settlement where the parties so request and/or where, with conciliation, there seems to be a possibility of settlement. In Northern Ireland the functions of ACAS are carried out by the Labour Relations Agency.

2.1 Cases brought under the Sex Discrimination Act in Great Britain 1989-1994

NUMBER AND PER CENT

Year	Total cases	ACAS settled	Withdrawn	Successful at hearing	Dismissed	Disposed of otherwise
1993-4	1,969	824 *(42%)*	632 *(31%*	176 *(9%*	285 *(15%)*	52 *(3%)*
1992-3	1,386	504 *(36%)*	438 *(32%*	127 *(9%*	242 *(18%)*	75 *(5%)*
1991-2	1,104	378 *(34%)*	427 *(39%*	90 *(8%*	178 *(16%)*	31 *(3%)*
1990-1	1,078	335 *(31%)*	424 *(39%*	78 *(7%*	220 *(21%)*	21 *(2%)*
1989-90	1,046	384 *(37%)*	370 *(35%*	86 *(8%*	194 *(19%)*	12 *(1%)*

Source: Central Office of Industrial Tribunals

In the latest year for which figures are available, 1993/94, industrial tribunals in Great Britain handled 780 equal pay complaints and 1969 sex discrimination complaints. This compares with 240 and 1386 respectively for 1992/93. No conclusions can be drawn from the 69% increase in the number of complaints heard between 1992/93 and 1993/94 because figures do fluctuate from year to year. In particular, in equal pay cases, it is possible for one complaint to be made by one individual which, if successful, affects the pay of many others. However, there has been an upward trend in the number of complaints in recent years caused by: increased awareness among women of their legal rights; the greater willingness of women to bring cases; and case law developments which broaden the scope of the law and therefore make more claims possible, as in the field of sexual harassment.

2.2 Cases brought under the Equal Pay Act in Great Britain 1989-1994

NUMBER AND PER CENT

Year	Total cases	ACAS settled	Withdrawn	Successful at hearing	Dismissed	Disposed of otherwise
1993-4	780	50 *(6%)*	685 *(88%)*	19 *(2%)*	24 *(3%)*	2 *(1%)*
1992-3	240	102 *(43%)*	83 *(35%)*	21 *(9%)*	34 *13%)*	-
1991-2	227	45 *(20%)*	100 *(44%)*	5 *(2%)*	76 *33%)*	1 *(1%)*
1990-1	508	64 *(13%)*	246 *(48%)*	10 *(2%)*	25 *5%)*	163 *(32%)*
1989-90	397	64 *(16%)*	210 *(53%)*	33 *(8%)*	22 *6%)*	68 *(17%)*

Source: Central Office of Industrial Tribunals

Figures for Northern Ireland show a similar pattern as in Great Britain, with an increase in cases brought under both the Sex Discrimination Order and the Equal Pay Act.

2.3 Cases brought under the Sex Discrimination Act and the Equal Pay Act in Northern Ireland 1989-1994

Year	Sex Discrimination Act	Equal Pay Act	Total
1994	526	295	821
1993	445	186	631
1992	294	212	506
1991	293	657	950
1990	182	82	264

Source: Office of Industrial Tribunals and Fair Employment Tribunals

Since the last UK report, there have been several changes to sex discrimination and equal pay legislation. In 1993 Regulations came into effect which abolished the upper limit on the amount of compensation which can be awarded by industrial tribunals in well-founded cases of sex discrimination. Tribunals can now order to be paid whatever amount of compensation they think is appropriate.

Concern has been expressed that claims for equal pay for work of equal value take too long. The Equal Opportunities Commission has addressed the problem in its recommendation for change to the Equal Pay Act and has also filed a complaint to the European Commission that the Government is failing to comply with EC legal obligations under European law. A similar complaint has been made by the Northern Ireland EOC in relation to identical legislation there. The TUC has also made a complaint to the European Commission that the abolition of the Wages Council system is contrary to the Government's obligations under European law in that abolition removes one of the means of establishing the principle of equal pay. The Government does not accept that it is in breach of EC law in relation to any of these complaints.

To help meet the concern over delays in equal pay cases, some of which are caused by appeals and counter-appeals, the Government has made changes to the Industrial Tribunal Rules of Procedure governing such cases, and further changes are in prospect. The aim is to simplify procedures and speed up cases and make the industrial tribunal system more user-friendly. The changes made or agreed to date are as follows:

- the Government has introduced new Industrial Tribunal rules of procedure which require the independent expert to estimate at the outset how long it will take to produce a report, and to tell the parties if the estimated date is likely to slip;
- it is a defence to an equal value claim for the employer to prove that the variation in pay between the man and the woman is genuinely due to a "material factor" unconnected with sex. The tribunal can, if it is thought appropriate, hear evidence and argument on this defence before commissioning an independent expert's report. This used to be without prejudice to the defence being heard again during the main hearing. The Government has changed the Industrial Tribunal Rules of Procedure so that while tribunals will be able to hear the material factor defence by an employer as a preliminary point if that seems appropriate, that defence may not be repeated at a subsequent stage of the proceedings;

- at the outset of an equal value claim, a tribunal can be called on to consider whether there are "no reasonable grounds" for determining that the applicant's work is of equal value to that of the comparator. The Government has accepted that this should be abolished, so long as adequate powers remain to prevent hopeless cases from proceeding. This will require primary legislation;

- the Trade Union Reform and Employment Rights Act 1993 (TURER) provided that a new provision that any code of practice on equal pay issued by the EOC under the 1975 Act would be admissible before, and must be taken into account by, industrial tribunals dealing with Equal Pay Act claims. The EOC is now proceeding with drafting such a code to provide practical guidance to employers, employees and tribunals;

- the Government has also agreed to change the law to allow tribunals a discretion whether to seek an independent expert's report in an equal value case. At present, obtaining such a report is mandatory. Tribunals will also be able to set timescales within which experts' reports should be completed.

B CHANGES IN THE LAW

Part-time workers

Regulations came into effect on 6 February 1995 implementing the Government's decision, announced on 20 December last year, to ensure employees working part-time are entitled to qualify for statutory employment protection rights on the same basis as those working full-time. The Government's decision followed a judgement by the House of Lords, in a judicial review case brought by the Equal Opportunities Commission, that the hours thresholds which previously applied were contrary to European Community sex equality law. Previously, employees working fewer than 16 hours a week had been subject to more stringent qualifying conditions for the main rights and those working fewer than 8 hours a week had been excluded.

Armed Forces

Up to this year, the Sex Discrimination Act 1975 did not apply to the armed forces. However, the High Court ruled in December 1991 that the policy of discharging servicewomen compulsorily when they became pregnant was discriminatory and a breach of the EC Equal Treatment Directive. The Ministry of Defence accepted liability to pay compensation to around 5,500 servicewomen dismissed on grounds of pregnancy between August 1978, when the Directive came into force, and August 1990, when the policy was changed. The Sex Discrimination Act was amended with effect from 1 February 1995 so as to apply to the armed forces; the amendment permits exclusions from the Act only for the purpose of maintaining the combat effectiveness of the armed forces.

Equal Pay

In April 1994, in the Enderby case heard at the European Court of Justice, a case of equal pay for work of equal value, the European Court decided that where significant statistics disclose an appreciable difference in pay between two jobs of equal value, one of which is carried out almost entirely by women and the other predominantly by men, that is sufficient to place the burden on the employer to justify the difference in pay between the two groups for reasons which have nothing to do with the sex of the workers concerned. The Court made clear that separate collective bargaining arrangements even though they are not tainted by sex discrimination are not in themselves a defence against indirectly discriminatory pay differences. Furthermore, where employers pay certain groups a higher rate in order to attract labour, only that part of the difference which is attributable to this particular need is justified. The Government does not believe that any specific change to national law is required as a result of the Enderby case: UK courts and tribunals are perfectly able to reach judgements in the light of this decision.

In November 1993, section 32 of the Trade Union Reform and Employment Rights Act 1993, which contains a number of measures to enhance rights and protection for individuals at work, came into effect. Section 32 provides that an individual who has reason to believe that he or she may be affected by the operation of a term in a collective agreement or a rule made by an employer may complain to an industrial tribunal that the term or rule discriminates unlawfully. If the tribunal agrees, it must declare the rule void. The same Act provides that any code of practice on equal pay issued by the Equal Opportunities Commission under the Sex Discrimination Act 1975 is admissible in evidence in, and must be taken into account by, any industrial tribunal considering an issue to which the Code is relevant.

Maternity Rights

New maternity leave and protection from dismissal rights came into force in the UK in June 1994. The new rights implemented relevant aspects of the EC Directive on the Protection of Pregnant Women at Work (Council Directive 92/85 EC) and met a Government undertaking to provide a right to maternity leave for all employees. They give all pregnant employees an entitlement to 14 weeks maternity leave and automatic protection from maternity related dismissal.

Women with two years' continuous service continue to be entitled to a longer period of maternity absence (around 40 weeks in total), the longest period of statutory maternity absence in Europe. Statutory Maternity Pay (SMP) or Maternity Allowance is payable for up to 18 weeks to those who qualify. All women retain the right to reasonable time off work with pay for antenatal care.

Employed women expecting babies on or after 16 October 1994 have also benefited from legislation which changed the rules governing Statutory Maternity Pay and Maternity Allowance. These changes were introduced following the same Directive. The requirement for women to have 2 years' continuous service for those working 16 hours a week or more (five years continuous service between 8 and 16 hours a week) before they could qualify for the earnings related element of Statutory Maternity Pay has been abolished. There is now one simple test of 26 weeks' employment with the same employer.

In addition, maternity pay has been increased. All women who qualify for Statutory Maternity Pay will receive 90% of their earnings for the first 6 weeks of their maternity leave and £52.50 for a maximum of 12 weeks after that. Maternity Allowance for employed women has been increased by £7.95 a week to £52.50 and women also have a longer period during which to pay the 26 national insurance contributions needed to qualify for the allowance. In addition working women now have more choice about when their maternity pay should start.

These statutory maternity rights represent a minimum entitlement on top of which employers and employees may agree more favourable terms. A survey carried out in 1991 estimated that 14% of women received enhanced contractual maternity provision.

There have been calls for the introduction of a statutory framework for parental and family leave which employers could build on. The Government recognises that parental leave is one of the flexible working practices which can be helpful both to employers and to employees in reconciling work and family responsibilities but considers that this should remain, like most other terms and conditions of employment, a matter for agreement between the parties concerned and not for statutory intervention. It believes that the introduction of a statutory scheme would increase employers' costs and damage job opportunities for women and men.

CEDAW Committee General Recommendation 12 'Violence Against Women' asks States Parties to comment on legislation and other measures to protect women against violence including sexual harassment.

Sexual Harassment

Since 1986, it has been clear that sexual harassment can, in certain circumstances, amount to sex discrimination and give rise to a claim under the Sex Discrimination Act 1975. There have been around 300 such cases in the last 8 years. Because of the sensitivity which often surrounds cases of sexual harassment the new Trade Union

Reform and Employment Rights Act (TURER) provides industrial tribunals with the power to make an order restricting identification of the individuals concerned for the duration of the case. In some cases sexual harassment may also amount to unlawful assault and give rise to civil or criminal liability.

In November 1991 the UK signed up to a European Council Declaration on the protection of the dignity of women and men at work. The Declaration registers the Council's endorsement of a Commission Recommendation and Code of Practice calling upon Member States to take action to promote awareness about the negative and destructive impact sexual harassment can have on a working environment. In March 1992 the Government, with the co-operation of the EOC and the social partners, published a guidance booklet for employers and a companion factsheet for employees which were distributed to every employer with more than 10 employees, a total of about 100,000 companies. Since then, a further 250,000 copies have been distributed.

The guidance has been well received by employers and employees in the public and private sectors. A survey recently undertaken by the Government showed that virtually all employers in the public sector had received copies of the guidance and had put in place practices and policies to combat and deter sexual harassment at work. There is also widespread awareness of this problem in the private sector, and clear signs that many businesses have already taken or are considering taking steps to deal with it.

With effect from 3 February 1995, it became a criminal offence under section 154 of the Criminal Justice and Public Order Act 1994 (CJPOA) to cause intentional harassment, alarm or distress through using threatening, abusive, or insulting words, behaviour or displays, in particular when the behaviour is persistent in nature. The Act applies to behaviour in any public or private location but not in a domestic dwelling. The new offence of intentional harassment protects against all forms of harassment including sexual harassment.

Previously, complainants were only able to seek redress through the civil courts unless the harassment amounted to assault. With the introduction of section 154 of the CJPOA a complainant can now also seek redress under this Act. It would be for the Crown Prosecution Service to decide whether there was sufficient evidence to bring a criminal prosecution. Penalties under a criminal offence can attract a prison sentence of up to six months and/or a fine of up to £5,000. However, for the complaint to be a criminal offence there must be both an intention to cause harassment, alarm or distress and proof that a person was actually harassed.

Awareness of the unacceptability of sexual harassment at work will be further raised by the recent publication by the EOC of advice and guidance. Additionally, the Employment Department has published an equal opportunities guide for small employers early in 1995. This has mentioned the importance of implementing policies to combat sexual harassment.

Legal literacy

The Government and its agencies have raised awareness of the provisions of sex discrimination and equal pay legislation. Publicity measures include newly-publicised Government guides to the Equal Pay and Sex Discrimination Acts (50,000 copies issued), and new guides on sexual harassment at work (over 250,000 copies issued) and maternity rights.

The Equal Opportunities Commissions' wide range of information material includes guides to legislation. They work with employers, trainers and consultants to keep them up to date on legislation and practical developments with a regular information bulletin. Participation by Commission staff in seminars, speaking engagements and training sessions also helps to ensure that information on legal rights is passed on. Both the Government and the Equal Opportunities Commissions value media coverage of legal cases as an important mechanism for informing individuals of their legal rights and employers of their obligations. Attention devoted by the UK press to equal opportunity issues has had the effect of raising awareness among a very large audience.

Policy Appraisal and Mainstreaming

As well as the legislation listed elsewhere under Article 2 and in previous reports, the Government is aware of the importance of ensuring sex equality issues are considered in all aspects of its business. In 1992, the then Ministerial Group on Women's Issues produced initial guidance to help officials assess policy proposals - including legislation, other initiatives, and strategic planning for service delivery - to ensure that unlawful or unjustifiable sex or race discrimination does not occur and that similar principles apply to people with disabilities, older people or ex-offenders. The guidance provides a brief guide to the law and an action checklist of steps to take. Most Government Departments have issued the guidance and progress is reviewed regularly.

Practical examples of the mainstreaming of women's issues in Government policy are indicated throughout the report. They include the work of the Overseas Development Administration in overseas development, a new Development Unit to further women's opportunities and careers in science, targets for women's health under the Government's "The Health of the Nation" initiative, targets for increasing the number of women in public appointments, and contractual requirements for equal opportunities for Training and Enterprise Councils, which deliver Government training programmes.

C CRIMES COMMITTED BY WOMEN AND TREATMENT OF WOMEN OFFENDERS

Crimes committed by women

Section 95 of the Criminal Justice Act 1991 requires the Home Secretary periodically to publish information to help those in the administration of criminal justice to avoid discrimination on grounds of sex and race. The first such information was published in 1992 and covered aspects of the respective treatment of men and women in the criminal justice system. The aim is to increase awareness of areas where discrimination might albeit inadvertently occur.

Scottish law is distinct from English law, and the Scottish criminal justice system differs substantially from its English counterpart. Unlike its opposite numbers in England and Wales, the Scottish Office is not required to publish an annual report on gender in the criminal justice system. However statistics of persons convicted of offences indicating gender are published annually in the Statistical Bulletin. The Northern Ireland Office plans to produce and publish in early 1995 a Research Bulletin Paper.

Generally it appears that women commit fewer crimes of all types than men, and proportionally fewer serious and violent crimes than men. 7% of the female population have a conviction for a serious offence by the age of 31, compared with 33% of men. Over the last ten years, for every one female around 3 to 5 males were cautioned or convicted in England and Wales for a criminal offence, other than a less serious (summary) motoring offence. This suggests that crime is mainly a male activity.

Both small-scale research and the analysis of statistical data bases show that males are more likely than females to be reconvicted. Also, the average length of male criminal careers (3.3 years) is three times as long as that for females.

In England and Wales, the predominant offence for which females are dealt with by means of a conviction or caution is for TV licence evasion - 42% of females in contrast to only 8% of males. Among the more serious, indictable, offences, the predominant female offences are theft and handling of stolen goods - 68% of serious offences in comparison with 41% for males.

2.4 Percentage of all found guilty at all courts or cautioned for all criminal offences, excluding summary motoring(1) by offence group and sex, 1983 and 1993

ENGLAND AND WALES — PERCENT

Offence Group	1983		1993	
Indictable Offences	Male	Female	Male	Female
Violence against the person	6	3	7	4
Sexual offences	1	-	1	-
Burglary	9	2	6	1
Robbery	-	-	1	-
Theft and handling stolen goods	26	39	21	25
Fraud and forgery	2	3	2	3
Criminal damage	1	1	1	1
Drug offences	2	1	6	2
Other non-motoring	2	1	5	2
Motoring	3	1	1	1
Summary non-motoring offences(1)				
TV licence evasion(2)	3	20	8	42
Other non-motoring	44	30	41	21
All offences (number = 100%)	909,700	189,600	816,700	255,300

Source: Criminal Statistics 1993, Home Office

1 *Less serious offences triable only at the lower tier magistrates' courts*

2 *Offences under Wireless Telegraphy Acts, which mainly comprise TV licence evasion*

Treatment of crimes

Cautioning is the main disposal used for female offenders in England and Wales for the more serious indictable offences. In 1993, 60% of all females convicted or cautioned for a criminal offence, other than summary motoring, received a caution compared with 37% of males. This holds true for all age groups and most offences, with the exception of drug offences and also summary offences other than TV licence evasion. A caution is rarely used for the latter offence.

A special statistical exercise carried out by the Home Office examined the criminal histories of samples of those cautioned in 1985, 1988, and 1991 in England and Wales. This showed that, while a majority of both sexes had no criminal history, cautioned males were twice as likely as females to have been previously convicted. They were also somewhat more likely to have been cautioned on a previous occasion. The most likely explanation for this difference is the higher offending rate for males. However, without knowing more about these cases and about cases in which the police took no further action or prosecuted the offender, we cannot eliminate the possibility that different standards are being applied when deciding whether to caution males and females, but the figures below suggest that women are not being treated more harshly.

There are also large overall differences in the sentencing of men and women. In particular women are far less likely than men to receive a custodial sentence for virtually all criminal offences. The only exception is for drugs, for which the proportions are roughly equal at 15%.

2.5 Offenders aged 21 and over sentenced, who received various sentences, by sex, 1993 in England and Wales

NUMBER AND PER CENT

	Indictable offences		Summary non-motoring offences(1)		All criminal excluding summary motoring	
Type of sentence	Males	Females	Males	Females	Males	Females
Discharge	18	34	10	6	14	10
Fine	38	31	85	93	65	83
Community Sentence	23	24	2	1	11	4
Fully suspended sentence	1	2	1	-	1	-
Immediate custody	18	7	1	-	8	1
Other	3	2	2	-	2	1
Total number sentenced (=100%)	183,100	27,600	266,000	139,800	449,100	167,500

Source *Criminal Statistics 1993, Home Office*

When women do receive a custodial sentence in England and Wales, their sentences tend to be shorter than those of men: in 1993 the average custodial sentence awarded at the upper tier Crown Court was 17.7 months for women aged 21 or over and 21.8 months for men. The average length was lower for females convicted of burglary, fraud and forgery, robbery, and theft and handling, but higher for criminal damage.

One possible reason for the apparently more lenient sentencing of women offenders is that they are less likely to have previous convictions than men. Analysis of a sample of 21,000 offenders convicted of a serious offence in 1991 shows that women first-offenders are half as likely to be given a sentence of immediate imprisonment as male first-timers - 3% compared with 7%; and those with one, with two, or with three or more previous convictions were all less likely to receive custodial sentences than equivalent men.

There has been significant interest in the law on homicide as it affects women in particular in the law on the defence of provocation to take account of the effect of cumulative abuse. The courts have held that the defence of provocation is restricted to cases where there is a sudden and temporary loss of self-control, although they have made it clear that the defence can cover circumstances in which a response is not instantaneous. In general, the Government believes that the law on homicide already responds flexibly to the particular circumstances of domestic violence victims, not only on the defence of provocation but also on the equally important defence of diminished responsibility.

Statistics on homicide indicate that the courts do respond to the particular circumstances of women charged with homicide. Female suspects indicted for murder of a current or former spouse, cohabitee or lover are less likely to be convicted of homicide (ie murder or manslaughter) than men - 77% of women compared to 96% of men over the period 1984-92 - and if convicted, women were less likely to be convicted of murder than men - one fifth as against two fifths. When sentenced for manslaughter, women were less likely to go to prison and were given shorter sentences.

Women in Prison

Women in prison are treated as a distinct group with different needs from their male counterparts. Within the female prison population special attention is paid to specific groups including those with life sentences, mothers and babies, mentally disturbed offenders and vulnerable prisoners (including female sex offenders and foreign nationals).

Women form only a small proportion of the total prison population, 1,900 out of a total of 50,000 prisoners in England and Wales, around 3.5%. Reflecting this, there are only 12 establishments within the prison service which hold women prisoners, which results in difficulties in women serving their sentences in prisons near their homes. The Prison Service will be considering, when resources are available, the practicalities of delivering a better spread of women's establishments so that they are not, as at present, largely concentrated in the South East and North of England.

A consequence of women, particularly those with dependent children, having to serve their sentence at a distance from their home, is that maintaining contact with their families can become a problem. The Prison Service now offers all day visits in each of the women's prisons and at one, HMP New Hall, "Bungalettes" are provided which allow families to have all day visits in a homely atmosphere. The "Bungalettes" were introduced at New Hall in October 1993. Governors of women's prisons appreciate the importance of temporary release and grant home leave to maintain family contacts. "Family Ties" was a major feature of the Prison Service response to the Woolf Report in January 1991, which resulted in the abolition of censorship of correspondence in most prisons, and the extension of the assisted visits scheme. Furthermore, as part of the "Family Ties" initiative, all prisoners, male and female, in 1993 were granted the use of Cardphones for telephone calls, extended visits and visitors centres. In addition, a new scheme for the temporary release of prisoners was introduced.

The number of mother and baby places in prison stands at 57 (April 1995) up from the original total of 34 places ten years ago. The units are at Holloway in London, Styal in Cheshire and Askham Grange in York. The fourth unit will open at New Hall, Wakefield in Yorkshire. The units are inspected regularly by the social service inspectorate, and their latest report published in spring 1994 reflected a dramatic improvement in standards. New policy guidelines for mother and baby units published in 1992 stated the Government's aim for the units was to create as many opportunities as possible for mothers to exercise and develop parental skills and responsibilities, and to maximise the potential for the babies' proper development.

During the past three years the quality of medical advice and treatment has risen in most prisons, including those for women, and the aim of the Directorate of Health Care remains to deliver a quality of healthcare comparable to that of the National Health Service. At present, many women's establishments are still served by male medical practitioners, but as new doctors are appointed steps are being taken wherever possible and in accordance with the equality opportunity laws, to encourage female practitioners to take up vacant posts. There were, at the last survey, female medical practitioners in three of the twelve female establishments. As regards female foreign national prisoners, to some extent their needs (and those of male foreign national prisoners) can be met through the Prison Service's well established race relations policies. These ensure the provision of minority cultural, spiritual and dietary needs. But foreign national prisoners have their own special needs. They may be isolated from their family, unfamiliar with the workings of our criminal justice system and have language difficulties. A number of initiatives have been developed to help them. The foreign prisoners' resource pack, translated into eleven languages, gives information and advice to those working with foreign national prisoners themselves. The Prisoners Information Pack is translated into fourteen languages. The Language Line telephone interpreting service is available in all prisons and the Prison Service has given support to a project scheme designed to encourage the use of accredited interpreters within prisons.

Scotland and Northern Ireland

The position in Scotland is comparable with England and Wales with women forming around 3% of the prison population. There is only one recognised all female Scottish establishment, Cornton Vale, which has a design capacity for 213 prisoners. (Inverness, Aberdeen and Dumfries prisons also hold female prisoners on a short term basis.) The location of Cornton Vale, which is in the heart of Scotland allows for approximately 85% of prisoners to be only 30 miles away from their homes. A good public transport network facilitates easy access for visitors. Cornton Vale Prison permits mothers to have their babies with them until they reach the age of twelve months. The prison also allows bonding visits whereby mothers can have an additional 3 hour visit with their children each month; the prospect of increasing the duration of these bonding visits is currently being considered. Cornton Vale is served by both male and female medical staff but prisoners are seen by a female practitioner where this is particularly requested. All psychologist and gynaecology staff are female.

In Northern Ireland, in 1994 there were 37 women prisoners (30 sentenced and 7 remand) and 8 female young offenders (under 21) all held at HMP Maghaberry. This represents about 2% of the total prison and young offenders centre population in Northern Ireland. The central location of HMP Maghaberry means that problems faced by visitors in GB do not apply. Long term female prisoners are entitled to additional periods of pre-release home leave to assist them with family links.

Offences against discipline

In the last UK report, we recorded the higher level of offences amongst female than male prisoners. As regards offences against discipline by female offenders, figures available have demonstrated a more volatile trend than those for male offenders. Over 100,000 offences against prison discipline were punished in 1993, a rise of 13% from 1992. Of these offences, females committed 5,302, a rise of 9% from 4,858 in 1992. The female rate for the number of offences punished per head of average population was therefore at its highest level, at 3.4% since 1986.

ARTICLE 3

ELIMINATION OF DISCRIMINATION

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The United Kingdom's initial and second reports listed the major international human rights instruments ratified by the UK. Since then, the UK has ratified the Convention on the Rights of the Child on 16 December 1991.

Women with Disabilities

At the presentation of the last UK report the CEDAW Committee requested further information about women with disabilities. We are trying to improve the collection of gender-disaggregated information in the meantime. We have provided here information relating to men and women with disabilities and wherever available further information in the relevant part of the report.

The report on "Prevalence of Disability Among Adults" (September 1988) found that there were 6.2 million adults with at least one disability ranging from a mild impairment to a severe disability. In total there are around 3.6 million disabled women and 2.5 million disabled men in the country as a whole. However, women outnumber men substantially only at higher ages. Among those aged under 75 the prevalence of disability is roughly equal between men and women at all severity levels. But among those aged 75 or over, the rates for women are consistently higher than those for men. The difference occurs largely because women on average live longer than men.

In a new development, the UK Government's Disability Discrimination Bill completed its Report stage in the House of Lords on 20 July 1995. The Bill includes a new right of non-discrimination in employment which will replace the outdated and unworkable quota provisions of the Disabled Persons (Employment) Act 1944, a right of access to goods and services and the establishment of a National Disability Council. The decision to introduce legislation was taken following a public consultation exercise carried out by the UK Government in the latter half of 1994.

In April 1994, there were 374,182 people registered disabled under the Disabled Persons Act (Employment) Act 1944, of whom 96,888 were women. The majority of men and women with disabilities are assisted through mainstream Jobcentre services and employment and training programmes, and individuals with disabilities have a priority for a place on these programmes. Where specialist help is needed it is provided through the Employment Services' national network of Placing, Assessment and Counselling Teams (PACTs). Within these teams Disability Employment Adviser (DEAs) provide information on employment and training, a gateway to employment assessment and rehabilitation, the Access to Work programme which helps disabled people to overcome barriers to employment, and for severely disabled men and women, the Supported Employment programme.

PACTS also promote good employment practice by promoting the "Code of Good Practice on the Employment of Disabled People" and through the Employment Services's disability symbol initiative. The disability symbol enables employers to signal their commitment to employing people with disabilities and helps disabled people to know which organisations are committed to offering them sound employment opportunities.

With regard to employment in the Civil Service, existing good practice guidance has been replaced and strengthened by the introduction in July 1994 of the "Programme for Action to Achieve Equality of Opportunity in the Civil Service for Disabled People".

Starting in 1994 Training and Enterprise Councils, who deliver Government training programmes, are now required to set out an equal opportunities strategy together with a plan for implementation and assessing achievement. TECs must also include how they will monitor their training providers' delivery of equal opportunities. Secondly, TECs are required to set out in their plans the number of female, ethnic minority and disabled participants in both the adult and youth training programmes for 1993/4 and 1995/6.

Up to 50 students with severe disabilities attend UK universities supported by Community Service Volunteers. The Volunteers receive funding from a variety of sources including local education authority and social services grants. They provide help by reading and notetaking, as well as feeding, dressing etc. Students being cared for under the scheme do not have any special entry concessions on entry requirements, as University authorities feel that by doing this they could raise expectations it would be difficult to fulfil. However, in common with other students they can have longer to do exams, or have their course extended if necessary.

ARTICLE 4

TEMPORARY SPECIAL MEASURES

1 *Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality and treatment have been achieved.*

2 *Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.*

Employment law and practice

The Government takes every opportunity to press the case for equal opportunities as an end in itself and as an opportunity for employers to optimise economic performance, by using the abilities of the whole population to the full. Employment law and practice are considered in Articles 2 and 11 respectively. Practice in the public sector is considered in Article 7.

Temporary Measures

The "positive action" provisions of the Sex Discrimination Act permit single-sex training in order to increase representation in jobs where women are under-represented. Use of the provisions is widespread and they have enabled the providers of many education and training programmes to offer a wide range of programmes to help meet women's special needs. As in Great Britain, the Sex Discrimination (Northern Ireland) Order permits single sex training in certain circumstances and special initiatives have been developed to help ease women back into the workforce. The provision of all government training programmes is monitored by gender. Further information about training is provided under Article 10. Positive action is also allowed under race relations legislation. There is a range of measures open to employers and others to help people from ethnic minorities compete for jobs on an equal footing with the rest of the workforce.

The use of targets

Because of the underlying principle that discrimination on grounds of sex is unlawful, the setting of "quotas" is equally unlawful under the Sex Discrimination Act. However, targets or benchmarks, which involve goal-setting instead of a pre-determined number of women in particular positions or occupations, are increasingly used in both the private and public sector and are proving effective in many cases. The essential principle remains that only the best candidate for a job should be appointed, but that access to opportunity should be improved. The Prime Minister's national initiative established in 1991 to increase the proportion of women on Government appointed public bodies - which uses targets - has been instrumental in increasing their representation from 23% in 1990 to 30% currently. The Government's overall target is for women to hold between a quarter and a half of all such posts. In 1992 the Civil Service set a benchmark of 15% for the proportion of the most senior posts expected to be held by women by the year 2000 and a large number of Government departments have set further targets in this area. Further information about the public bodies initiative and targets in the Civil Service is provided under Article 7. Employment targets are considered under Article 11 and targets for women's health under Article 12. In all these instances progress is regularly monitored against targets.

Maternity protection

The United Kingdom fully recognises that protection of maternity should not be considered as discriminatory. Recent enhancements to the UK's maternity legislation are explained under Article 2.

Women in the Diplomatic Service

In 1992 the Foreign and Commonwealth Office (FCO) set numerical goals to increase significantly by the year 2000 the proportion of women in the grades where they are currently under-represented. Recruitment material emphasises the FCO's equal opportunities policy and positive welcome for female applicants. The effectiveness of these measures in recruiting and retaining women is regularly monitored. Further information is provided under Article 8.

ARTICLE 5

STEREOTYPING AND PREJUDICES

States Parties should take all appropriate measures:

a. ***To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;***

b. ***To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.***

Family and Social Issues

In other parts of the report we point to practical steps the Government is taking that will influence stereotypical attitudes and expectations, for example action to: ensure girls receive a good grounding in a wide range of subjects at school; encourage girls and women to take up a wider range of careers, particularly in science, engineering and technology; promote more women on merit to positions at the top of the Civil Service and to public bodies. Education for family life and education's role in eliminating stereotyping are dealt with under Article 10.

In the home there are indications that attitudes towards traditional roles are slowly changing. Latest published research shows increasing numbers of people think that household tasks should be shared. In practice however men are still much less likely to undertake tasks such as household cleaning and washing although the proportion that do so is gradually increasing.

In two parent households, childcare remains predominantly the woman's responsibility. The majority of lone parent households are headed by women, and children in their care tend to be younger than children in the care of lone fathers. While the proportion of single mothers has shown a significant increase in the last decade, marital breakdown is the most common reason for the formation of lone parent families. Children who live with only one of their natural parents are more likely to live with their mother: in 1991, 19% of all dependent children lived with their natural mother but not their natural father, while only 3% lived with their natural father but not their natural mother. These children were very likely to be in a lone parent family if they lived with their mother, but those with their natural father were almost as likely to live as step children in a family headed by a couple.

Men's attitudes are particularly relevant in helping to break down stereotyping and changing cultural patterns of conduct, particularly in helping support the reconciliation of domestic and working life. The Government encourages employers to consider the benefits of a wide range of flexible working practices, including part-time working, that can help men and women to reconcile work with their domestic responsibilities.

Stereotyping and violence

It is now generally accepted that stereotypical attitudes of appropriate roles for men and women and in particular the power imbalance between the sexes contribute to male violence against women. Since the last report, the Government and women's organisations have mounted campaigns throughout the country to counter domestic violence. The main objectives of the campaigns in England and Wales have been to raise public awareness of the essential criminality of this type of behaviour and to inform victims where they can get help and advice. A similar campaign was also mounted in Scotland, which focused on the perpetrators of domestic violence as well as the victims. In addition, some local authorities have mounted "Zero Tolerance" campaigns, along the lines of the initiative first developed in Canada.

The Home Office Programme Development Unit is funding two experimental projects which are developing a programme of activities and discussion sessions for use in schools and youth clubs which concentrate on gender relations and family violence. Re-education on issues of gender and violence is the philosophy underlying two court-ordered treatment programmes for men found guilty of violence against their female partners. The effectiveness of this innovative approach to the punishment of such offenders is currently being evaluated by Government-funded research.

The Media

Changing attitudes and modes of behaviour to achieve elimination of sex discrimination is a task which is continually evolving, and the role of the media in its presentation of women is recognised as an important one. Increasingly matters relating to equality between men and women are discussed and explored in both the broadcasting and press media. Full details about the operation and regulation of the UK media have been given in previous reports and this report therefore summarises that information and focuses on recent developments.

Portrayal of Women on Screen

The main broadcasting employers have introduced initiatives to increase the representation of women on screen, and to ensure that these representations portray the full range of roles undertaken by women. In May 1995, the BBC signed a 25 nation Equal Opportunities Charter at the end of a conference on women in broadcasting organised by the European Commission and the European Broadcasting Union (EBU). The conference focused on the employment and portrayal of women in radio and television, and the aim of the equality charter was to reinforce the efforts of EBU members already committed to equal opportunities as well as stimulating slower organisations to make more progress.

The BBC has full responsibility for all programming and scheduling matters and judgements about its programme content including the portrayal of women. The Independent Television Commission (ITC) lays down the framework in its programme guide and the licences within which the ITV companies and Channel 4 must operate, and assesses their performance in general, including their portrayal of women.

The BBC programme guidelines address stereotyping and emphasise that programmes should take care to acknowledge the full range of roles now performed by women. The BBC is undertaking a series of initiatives to increase the representation of women, ethnic minority groups and people with disabilities on screen. In addition a number of programmes specifically aimed at women have been broadcast in recent years.

The Broadcasting Standards Council acts as a focus for public concern about standards on television and radio. Its guidelines include sections on stereotyping, sexual humour and innuendo and the portrayal of violence towards women in drama. The Council has also initiated research projects concerning women's issues. "Women Viewing Violence", published in 1992, was based on original research carried out at the University of Stirling; it included interviews with women, some of whom had been victims of violence, who watched a set of broadcast television programmes. All the programmes contained scenes of violence against women and the effects of the varied experiences of the respondents are quite apparent in their responses to the material they saw.

In 1994 the Council published the "Perspectives of Women in Television" study. This work comprised group discussions with women and a content analysis. The group discussions examined women's attitudes to the women they saw portrayed on television and followed the perceived changes in women's roles. The content analysis was a snapshot of one week's terrestrial television, categorizing women on-screen by frequency of appearance, by programme genre, and by the types of roles they played. It found that women accounted for under one third of all the speaking roles monitored, with genres such as news and sport less likely to have a woman on screen. Analysis also showed that most of the women appearing on television were likely to be of medium or high social status and under 40 years old. However, it was also clear that women who did appear were making a significant contribution, either as major presenters or as central characters.

Portrayal of Women in Advertising

Recruitment advertising is covered by the Sex Discrimination Act (1976) and the Sex Discrimination (Northern Ireland) Order which are covered in Article 2.

More generally, the British Code of Advertising Practice, which is administered by the Advertising Standards Authority (ASA), states that advertisements should not cause "grave or widespread offence". It is under this requirement that the Authority considers whether the portrayal of women in advertisements is likely to offend the majority of readers, or to cause serious offence to a minority.

5.1 Complaints about portrayal of women in advertisements in the UK

NUMBER AND PER CENT

	1991	1992	1993	1994
Total no. complaints	9,500	9,420	9,603	9,659
No. related to portrayal of women	498	180	537	498
	5.2%	*1.9 %*	*5.6%*	*5.2%*
No. of such complaints upheld	236	57	111	190
	47%	*32%*	*21%*	*38%*

Source: Advertising Standards Authority

There does not appear to be any clear trend in the data on complaints about the portrayal of women in advertisements, although the most frequent subjects of complaint appear in publications aimed predominantly at men. In 1992 the Advertising Association, an umbrella body for advertisers, agencies and the media, published a booklet "A Woman's Place - the portrayal of women in advertisements" which identified the range of opinion in the industry. The ASA confirms that advertisers are generally becoming more aware of public sensitivities towards images of women, with increasing numbers of advertisers seeking advice on their copy from the Authority.

Television advertising must comply with the Independent Television Commission's (ITC) Code of Advertising Standards and Practice. The Code makes no specific reference to the portrayal of women in television advertisements, but it does state that "no advertisement may offend against good taste or decency or be offensive to public feeling and no advertisement should prejudice respect for human dignity. Particular care should be taken to avoid treatments which, through the unthinking use of stereotyped imagery, could be hurtful to certain sections of the audience." All complaints received from women alleging that advertisements are offensive to women are considered and dealt with by female members of staff. Over recent years advertisements have increasingly reflected the range of roles and responsibilities that women and men have in domestic and working life. However stereotypical images still prevail.

Employment of women in the broadcasting media

The Government considers that one way to help ensure that women are represented fairly and sympathetically is by creating a climate in which more senior posts in broadcasting are held by women. In line with the targets set for women holding public appointments discussed under Article 4, 19 out of 49 - 39% - of the posts on broadcasting bodies are now held by women.

Under its equal opportunities policy, almost all BBC directorates have an equal opportunities officer. A programme of "Fair Selection" training has been introduced for people involved in recruitment to ensure interviews are as objective and fair as possible. The Corporation runs women-only courses, and operational/technical training so that women can gain experience in occupations such as camera operators and sound recordists, where they are traditionally under-represented. The BBC's workplace childcare programme has expanded provision of workplace nurseries from one to seven since 1991. The Corporation also has working parent advisors and the capacity to help with emergency childcare for staff in operational areas.

Between 1992 and 1995 women in senior executive positions in the BBC increased from 12% to 19%, with their representation in senior management increasing from 20% to 25% and in middle management from 24% to 32%. Success in meeting the BBC's targets of 40% for women into middle and senior management levels and 30% in the Senior Executive grades by 1996 has been greatest for women working in television production. However, overall progress was adversely affected in 1993 when the number of staff employed by the BBC dropped because of recessionary pressures and a low staff turnover. The BBC joined the Opportunity 2000 initiative (see Article 11) because the BBC's aims and objectives were consistent with this initiative, and it felt that it would be a good way of making its commitment public and sharing good practice with others.

All 15 ITV companies, and the one licensee providing national breakfast television, have an equal opportunities policy, and a joint ITV equal opportunities committee advises companies and unions on good practice and policy. Members of the Independent Programme Producers Association are party to trade union agreements which incorporate equal opportunities policies. Last year London Weekend Television was awarded the 1993 Women in Business award for its commitment to promoting and developing women managers. The first annual performance review by the Independent Television Commission indicates that in December 1993 the highest proportions of women were employed by GMTV - 60% -and Channel 4 - 54% - who also had 17% of women at senior levels. However there was considerable scope for further progress among other companies.

C PORNOGRAPHY

The Government is committed to maintaining domestic controls on obscene and pornographic material, and is determined that these controls should keep pace with advances in technology. The principal control in this area is the Obscene Publications Act 1959, which covers all published and broadcast material, and the UK also has separate legal controls on child pornography which prohibit the production, possession and distribution of indecent pictures of children, as well as separate controls on indecent displays. Both videos and cinema films are subject to review and classification by the British Board of Film Classification (BBFC) although the BBFC has statutory powers in respect of videos only. Under the Video Recordings Act 1984 it is an offence to supply an unclassified video or a video in breach of its age classification.

The Government took action in the Criminal Justice and Public Order Act 1994 to strengthen further controls over pornography and to ensure that legislation keeps pace with the changes in technology. In summary, the 1994 Act extends the law to cover those who transmit obscene material between computers and those who manufacture or store child pornography on computer; introduces statutory criteria which the British Board of Film Classification must take into account when classifying videos; will enable the Board to review past classification decisions made on selected videos in light of the new statutory criteria; makes it an imprisonable offence to supply unclassified videos or supply videos in breach of the age classification; makes it an imprisonable offence to possess child pornography; and increases police powers to search and arrest those suspected of obscenity and child pornography offences.

ARTICLE 6
EXPLOITATION OF WOMEN

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Exploitation of and traffic in women

Prostitution is not in itself an offence. However, it is an offence, under separate pieces of legislation, for either men or women to solicit. Section 1 of the Street Offences Act 1959 makes it an offence for a prostitute to loiter or solicit in a street or public place for the purposes of prostitution. In this context, a prostitute is considered to be a woman. Soliciting by men is covered by section 32 of the Sexual Offences Act 1956, which states, "It is an offence for a man persistently to solicit or importune in a public place for immoral purposes." This goes further than soliciting for prostitution, hence the absence of appropriate statistics for males.

The law also penalises those who encourage the prostitution of others for gain and those who live off the profits of this activity and provides special protection for women and girls who may be at risk. The Sexual Offences Act 1956 makes it an offence:

to procure a woman to become a prostitute;

to detain a woman against her will in a brothel;

to permit girls aged under 13, and between 13 and 16, or mentally subnormal females, to use premises for unlawful sexual intercourse[1];

to cause or encourage the prostitution of a girl under 16 for whom a person is responsible or of a mentally subnormal woman;

for a man to live on the earnings of prostitution[2];

for a woman to exercise control over a prostitute for the purposes of gain;

to keep or manage a brothel, or to allow premises to be used as a brothel.

In Scotland similar offences are covered by the Sexual Offences (Scotland) Act 1976 and section 46 of the Civic Government (Scotland) Act 1982.

Statistics are collected on the legal basis outlined above.

[1] *Note : a girl aged between 13 and 16 cannot consent to intercourse. If a man has sexual intercourse with her he is guilty of an offence of unlawful sexual intercourse under the 1956 Act even if she consented. However, he has a defence to this charge if he reasonably believed that he was lawfully married to the girl or, if he is under 24 and has not previously been charged with a like offence, that he reasonably believed the girl was 16 or over. There is no similar defence to a charge of unlawful sexual intercourse with a girl under 13.*

[2] *There is no prohibition on women living off immoral earnings because it was thought that the law should not prevent two prostitutes from living together. However it is an offence for a woman to control a prostitute.*

6.1 Number of women proceeded against, cautioned and found guilty for offences of soliciting under the Sexual Offences Act 1959, 1990 - 93, England and Wales

Year	Proceeded	Cautioned	Total found Guilty
1990	10,500	4,200	10,000
1991	10,200	3,800	9,600
1992	9,500	3,700	8,800
1993	7,900	3,600	7,400

Source: Home Office

6.2 Number of males and females found guilty of brothel-keeping and procuration offences, 1990-93, England and Wales

Offence/sex		1990	1991	1992	1993
Brothel-keeping	Males	25	21	21	17
	Females	116	79	79	39
Procuration	Males	394	242	128	82
	Females	16	12	17	9

Source: Home Office

As discussed in previous reports, kerb-crawling was made an offence for the first time in England and Wales, under the Sexual Offences Act of 1985. In Scotland, kerb-crawling may be dealt with under the Sexual Offences (Scotland) Act 1976 or under the common law, as a breach of the peace. There is, however, no corresponding Northern Ireland offence of kerb-crawling, although the nuisance might be dealt with under the Justice of the Peace Act 1361.

6.3 Offenders prosecuted for kerb crawling in England and Wales

Year		Total Proceeded Against	Found Guilty	Cautioned
1990	Males	1360	1215	227
	Females	17	14	1
1991	Males	1314	1132	149
	Females	9	8	2
1992	Males	1003	827	331
	Females	2		2
1993	Males	772	636	254
	Females	5	2	2

Source: Home Office

The reported prevalence of HIV/AIDS among prostitutes in the UK is very low. The Department of Health has made substantial sums available to health and local authorities to undertake measures to limit the spread of HIV/AIDS. Many areas are carrying out local initiatives with prostitutes to provide them with the information they need to protect themselves from HIV infection and to ensure that they are aware of the sexual health services available to them.

The Department of Health has also funded research into the health care needs of drug using prostitutes. An information pack for health care and other professionals which aims to increase their understanding of this issue has been widely disseminated. The pack also aims to help them increase access to and uptake of services by this group which is traditionally seen as hard to reach.

International traffic

Concern has been expressed about the involvement of UK nationals in newer forms of trafficking, such as sex tourism. There are no official figures to indicate the extent of child prostitution in those countries where it occurs: by its very nature it is impossible to establish the numbers involved or the extent to which child prostitution is fuelled by tourism. Although it keeps the position under review, the Government currently has no plans to extend the largely territorial jurisdiction of our courts to deal with offences committed abroad against children. Our policy instead is to encourage the relevant authorities abroad to take action, and to afford them all possible assistance, including the extradition of British citizens to stand trial abroad where appropriate. We are also considering ways in which we might improve liaison between foreign law enforcement agencies and our own, with a view to providing the authorities in the countries concerned with as much assistance as possible in tackling the problems of child prostitution.

While the Government supports the aims of the UN Convention on Suppression in the Traffic in Persons and the Exploitation of the Prostitution of Others and UK law is based on the principles which underlie it, the Government takes the view that the Convention as it is drafted would criminalise a far wider proportion of people than those at whom it is ostensibly aimed, and has not therefore ratified it.

ARTICLE 7

WOMEN IN POLITICS AND PUBLIC LIFE

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country, and in particular, shall ensure to women, on equal terms with men, the right:

a. To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

b. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

c. To participate in non-governmental organisations and associations concerned with the public and political life of the country.

Right to vote

A brief summary of the history of women's suffrage in the United Kingdom was provided in our initial report. Women as well as men are able to vote in all elections and do so in equal proportions - around 75% in the 1992 general election.

National and European Parliamentary Posts

Women are eligible for election to local and national parliamentary parties, and although they play an important part in all major political parties, they remain under-represented in the House of Commons. However there continues to be a steady increase in the number of women elected to national and European parliamentary posts and there are now 63 women MPs, 9.7% of all Members of Parliament, of whom 38 are Labour, 18 Conservative, 3 Liberal Democrat, 2 Scottish Nationalist Party, 1 Speaker and 1 Deputy Speaker. In 1992, the first woman Speaker, Miss Betty Boothroyd, was elected and both the Speaker and Deputy Speaker are currently women. There are 82 women members of the House of Lords, 6.9% of all members. Most of them are life peers since few hereditary titles are held by women; the proportion of women among life peers, who are the most active, is around 14%. There are 16 UK women members of the European Parliament, accounting for 18% of all UK representatives, an increase of 3% since 1984.

7.1 Women in the House of Commons at UK General Elections

NUMBER AND PER CENT

Year	Women	Men	% Women
1983	23	627	3.5%
1987	41	609	6.3%
1992	60	591	9.2%

Source: House of Commons Public Information Office

All major parliamentary parties recognise the need to improve the representation of women nationally and are taking steps to ensure that more women are included in candidates' lists. It is also recognised that the House of Commons is a demanding environment in which to work and that parliamentary business in the UK is more time-consuming and detailed than in many other democracies. This may particularly affect MPs with family responsibilities or whose constituency is distant from London. A recent report entitled "Sittings of the House" by the Select Committee of the House made a number of recommendations about the workings of the House of Commons to help reduce the workload. A number of these have now been implemented including the introduction of "non-sitting" or constituency Fridays about twice a month, and earlier finishing times throughout the remainder of the week.

Local Government

Representation of women in local authorities has shown a significant improvement particularly since the mid 1980s. Women represent almost one quarter - 24% - of the population of councillors in England and Wales. The highest proportion of women councillors is in London, the lowest in Wales and Northern Ireland. Analysis also reveals that across all types of authorities, women have slightly lower success rates than their male counterparts.

7.2 Women Councillors in the UK 1993 and 1994, at time of most recent election

PER CENT

Year		% Women Councillors
England	(1993)	23
Wales	(1993)	15
Scotland	(1994)	21
Northern Ireland	(1994)	12

Source: Local Government Chronicle Election Centre, University of Plymouth

A study carried out among women candidates for councillorship in the South West, found that they often described themselves as having been persuaded into local political representation, as opposed to having actively sought it out; active party members of both sexes, many of whom are women, were being persuaded to stand for the sake of having a candidate. The study also revealed that the female candidates surveyed had little confidence in their aptitude for the elected-member role, with the key areas for concern being public speaking and meetings skills. Women questioned in the study felt that these competencies were more readily developed by men in the world of work. Both men and women councillors sought to make use of homeworking and childcare facilities already available to local government staff.

The Department of the Environment has plans to explore motivations to enter political life further through its local government research programme. It recently sponsored a module in the British Social Attitudes survey (1994) which focuses on attitudes towards participation in local democracy. It is hoped to carry out some secondary analysis of the data by gender.

In Northern Ireland, following the ceasefire of terrorist organisations there, consideration is being given and some work undertaken to involve women more closely in the political process at a time of great and significant change in society.

The Civil Service

The UK's previous report contained full details of the equal opportunities programme adopted by Civil Service Departments. The Programme of Action was revised and updated in 1992 in order to reflect the needs of the modern Civil Service. A new feature of the Programme is the setting of benchmarks to encourage women's further progress on merit in the Civil Service. A benchmark of 15% has been set for the proportion of the most senior posts expected to be held by women by the year 2000. In addition 18% of women civil servants worked part-time in 1994.

Since 1990, the proportion of women at the top of the Civil Service (Grades 1 - 4) has grown from 4% to over 9% and now includes two women at Permanent Secretary level and five Agency Chief Executives. There has also been an increase in the proportion of women in senior and middle management grades: in particular the proportion of women at Grade 7 has increased by 7% from 12% to 19%. Women filled 38% of the fast stream appointments in 1993, and were assigned to a wide range of Departments.

Statistical data on the ethnic origin of civil servants in Great Britain became available in 1989. Since that date, statistics available annually have shown that ethnic minority women are clustered in the junior administrative and support grades. Departments and agencies are sponsoring schemes to help inform ethnic minority undergraduates about the possible career opportunities in the Civil Service, and to encourage them to apply on graduation. A study is being conducted by the Office of Public Service and Science to examine the possible double disadvantage of female ethnic minority staff. A report is scheduled for March 1995. In July 1994 there were 8,441 registered disabled persons working in the Civil Service in Great Britain, of whom 41% are women.

In Northern Ireland, representation of women in senior management grades has increased steadily. In 1994, in the Senior Civil Service grades, women held 14% of Grade 7 posts and 8% of posts at Grade 5 or above. A goal has been set of 10% representation of women at Grade 5 and above by the end of 1998. An Action Plan was published in December 1993; it builds on existing measures and includes action to address barriers to progress into top levels and specialist areas.

Civil Service policy on promotion is that it should be achieved on the basis of fair and open competition and on merit. Overall promotion rates for women are lower than those for men, but the gap is closing. A number of departments and agencies have reviewed their selection criteria and provide guidance on best practice in promotion procedures to panel members. In 1992 the Office of Public Service and Science (OPSS) made recommendations to Government departments and agencies to ensure that equality is offered to all groups of staff, which have been acted upon where necessary. The new annual appraisal system for staff in the Civil Service, which is objective-based should help support action to ensure equal opportunities.

7.3 Women as a percentage of grade level in the UK non-industrial Home Civil Service*:1990-1994

PER CENT

	1990	1994
Grade 1	-	6
Grade 2		7
Grade 3	7	10
Grade 4	3	9
Grade 5	11	13
Grade 6	10	13
Grade 7	12	19
Senior Executive Officer (SEO)	10	15
Higher Executive Officer (HEO)	18	22
Executive Officer (EO)	40	47
Representation across all grades	48	51

Source: Office of Public Service and Science

* *excludes scientific/industrial & Diplomatic Service posts, and Northern Ireland Civil Service*

There is strong ministerial and senior management commitment to making progress in equal opportunities which is monitored in each Government Department and reported annually. There has been awareness training for senior management and, in some cases, equal opportunities have been built into managers' objectives. Training provision to help promote equal opportunities includes women-only training for staff of all grades.

Women working in Local Government

Currently there are 22 women at Chief Executive level in local authorities throughout England and Wales, representing around 5% of the total. Women comprise 63% of the local government workforce, and although local authorities have a good record in developing initiatives designed to enable women, both women and part-time opportunities are concentrated in the lower grades. The local government community has been turning its attention to ways to enable women to reach their full potential.

26 local authorities have now joined the Opportunity 2000 initiative (see Article 11) and 82% of authorities have adopted equal opportunities policies. Most of these initiatives are aimed at the non-manual sector, although there is a recognised need to include manual employees. The Local Government Management Board (LGMB) have recently launched the Women's Leadership Programme (WLP) aimed at helping more women reach senior management which will include a special focus on the political context of public service.

In Scotland, 59% of local government employees are women, and out of those employed in non-manual grades 61% are women. Scottish local authorities have tackled equal opportunities issues with great enthusiasm with over 70% having a declared equal opportunities policy. In addition to equal opportunities committees, a number of councils have women's committees and other women's groups. In Northern Ireland, 32% of local government employees are women. There are no women at Chief Executive level and 3% of Chief Officers in Councils are women. All 26 local authorities have equal opportunity policies.

Public Appointments

A new Prime Minister's initiative aimed at increasing the number of public appointments held by women and members of ethnic minorities was established in October 1991. The overall objective is for women to hold between a quarter and a half of the total: women currently hold 30% of all appointments, compared to 23% in 1990 and 19% in 1986. The initiative covers all appointments, made by departmental ministers to a range of public bodies. Table 7.5 indicates progress in each of the key Government departments and agencies.

Ethnic minority women and men are relatively less well represented and the position for ethnic minority women is summarised in the table below.

7.4 Public appointments held by ethnic minority women in the UK

NUMBER AND PER CENT

	1992	1993	1994
All public appointments	41,011	42,606	42,876
Appointments held by members of ethnic minorities	802 *(2.0%)*	1000 *(2.3%)*	1,096 *(2.6 %)*
Of ethnic minority appointments, number held by women	158 *(19.7%)*	274 *(27.4%)*	327 *(29.8%)*

Source: Public Appointments Unit

All Government Departments are required to develop a strategy covering appointments made by them and their non-departmental public bodies. Junior ministers have been allocated the responsibility of setting departmental goals for women appointees and objectives to help meet them. Departmental plans were published in November 1992, and progress towards goals is monitored. Information about public appointments including a gender breakdown of appointments and remunerated appointments is given in the Cabinet Office publication "Public Bodies".

7.5 Percentage of Public Appointments held by Women in UK: 1990 and 1994

BY GOVERNMENT DEPARTMENT/AGENCY

	1990			1994		
	Government appointment	Held by women	% held by women	Government appointments	Held by women	% held by women
MAFF	1,684	82	5	208	38	18
OAL	416	67	16			
Cab Off	125	59	47			
COI	8	1	13			
CSO	12	0	0			
MOD	509	29	6	375	42	11
DFE	370	55	15	130	34	26
DE	3,816	783	21			
DEN	235	8	3			
DOE	3,529	675	19	3,398	743	22
ECGD	10	0	0	10	0	0
FCO/ODA	188	31	16	182	37	20
DH	4,548	1413	31	5,390	1,933	36
HO	4334	1619	37	4,252	1,717	40
IR	4,615	392	9	5	0	0
LCD				6,623	1,145	17
DNH				680	169	25
NIO	2,686	564	21	2,326	766	33
OFFER				220	89	41
R Mint				22	2	9
SCA	32	3	9	41	2	5
SO	4,386	1,452	33	3,971	1,539	39
DSS	7,479	2,052	27	8,132	2,752	34
OFTEL				25	12	48
ORR				119	40	34
DTI	733	135	18	634	117	19
DTP	223	26	12	167	26	16
HMT	93	12	13	97	24	25
WO	1,679	282	17	1,326	259	20
TOTAL	**4,4057**	**10,256**	**23**	**42,695**	**12,582**	**30%**

Source: Public Appointments Unit

Measures to support the appointment of women to public bodies include the Women's National Commission (WNC)'s very successful "Directory of Public Appointments" which was updated and republished in July 1995. The Directory was produced because a lack of relevant information was identified as one barrier to women putting themselves forward for public posts. The WNC has also published "Stepping Out in Public - A Woman's Guide to Public Appointments", which provides information, guidance, advice and encouragement to women about the opportunities available to them, together with case studies of a number of successful women appointees at different levels. The WNC is also active in circulating details of specific public appointments and encouraging women to apply for them.

Women in the Voluntary Sector

The UK has a very comprehensive, active and influential voluntary sector. Women make an important contribution to every aspect of the voluntary sector, whether chairing major charities and national voluntary organisations or the driving force behind small community groups. A 1991 survey of voluntary activity suggested that 53% of current volunteers are women, with a particular emphasis in the fields of health and social welfare and children's education. Experience gained in managerial and decision-making positions in the voluntary sector can prove to be a valuable asset for women interested in seeking public appointments.

The Women's National Commission (WNC) has a responsibility to stimulate debate amongst women's NGOs in order to increase their influence on public policy and to ensure that the views of women are brought to Government. It has held three national conferences in the last decade, several seminars each year and in 1992 launched a series of regional events to strengthen the links between the WNC and its member organisations in the regions.

The WNC is assisted in carrying out its work effectively by the considerable input from its members, who spend many hours voluntarily carrying out activities such as researching and compiling reports, responding to consultative documents and representing the WNC on committees.

Trade Unions

At the end of 1993 there were 254 trade unions in the UK with 8.7 million members, of whom 40% were women. Of all unions, there are 6 women General Secretaries, representing about 2% of the total and about 8% have women Presidents. Women account for 14 out of 47, that is 30%, of the Trades Union Congress (TUC) General Council. Trade unions are aware of the need to attract more women members if they are to halt their decline, and some are taking steps to increase female participation in union affairs. For example, UNISON, the UK's largest union with 1.48 million members, of whom two thirds are women, has reserved a similar proportion seats on its Executive for women - that is 44 of the 67 seats.

ARTICLE 8

WOMEN AS INTERNATIONAL REPRESENTATIVES

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organisations.

Women in the Diplomatic Service

Women account for 27% of Diplomatic Service staff. There are 5 Senior Grade women in the Diplomatic Service, the grade from which most ambassadors/heads of mission are drawn. Women account for 3 of the 150 or so ambassadors/heads of mission overseas, and for 2 of the top 24 positions in London.

8.1 Women in management grades in the British Diplomatic Service - including Ambassadors

PER CENT

	1985	1994
Grades 1 - 3 Ambassador level	1	3
Grade 4	4	4
Grade 5	7	12
Grade 6	7	12
Grade 7M	16	22
Grade 7D/8	18	26
Grade 9	32	50
Grade 10	52	43

Source: Foreign and Commonwealth Office

The Foreign and Commonwealth Office (FCO) is committed to improving the present record on women's representation. Under-representation, particularly at senior levels, is partly for historical reasons (women were required to resign on marriage until 1972), partly because of the lack of women in senior management to act as role models and partly because of the difficulty for many women of combining a family with the world-wide mobility obligation. But the FCO's long-standing policy of promoting equality of opportunity and a range of policies aimed at attracting and retaining female staff are bearing fruit. Measures include flexible working hours, childcare support and a career break scheme. In 1992 the FCO set numerical goals to increase significantly by the year 2000 the proportion of women in the grades where they are currently under-represented. Recruitment material emphasises the FCO's equal opportunities policy and positive welcome for female applicants. The effectiveness of these measures in recruiting and retaining women is regularly monitored.

The proportion of ethnic minority staff in the Diplomatic Service stands at less than 1%. The FCO is committed to improving the present record on ethnic minority women in the Diplomatic Service and ethnic minority staff speak at careers fairs to encourage greater numbers of eligible ethnic minority candidates to apply. Diplomatic Service recruitment material underlines this approach. The FCO employs a number of registered disabled people in its home Civil Service cadre, but few in the Diplomatic Service. Although the FCO welcomes applications from people with disabilities, it is difficult for many to pass the stringent medical tests necessary to ensure that they can comply with the Diplomatic Service's world-wide postability obligation.

UK Women's representation in international bodies

Female Diplomatic Service officers serve overseas in a range of grades at our UN and EU missions and throughout the world. There are two British women on Geneva-based human rights bodies: one a member of the UN Human Rights Committee, the other of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities. There are more than 600 UK women working for the United Nations around the world predominantly in secretarial and clerical grades, although there a number in more senior positions as Interpreters, Personnel Officers and Economists and two women at Director level.

There are 16 female (and 71 male) UK Members of the European Parliament, women accounting for 18 per cent of members; 5 women on the EU Economic and Social Committee and 4 women members (plus 4 female alternate members) on the EU Committee of the Regions. There is also one woman on the EU Commission on Racism and Xenophobia.

Women in Development

As discussed in previous reports, the Overseas Development Administration (ODA) is formally committed to promoting the social, economic, legal and political status of women developing countries. To this end, ODA seeks to integrate women's roles and needs into all its aid activities and at every stage of the project cycle.

In recent years, ODA's approach to Women in Development has been refined and clarified by the addition of an explicit understanding of gender as a factor in promoting social and economic development. The gender approach focuses on the different roles and interests of men and women and on the importance of recognising these differences if projects and programmes are to succeed, for example in the area of family planning. ODA's gender approach ensures that women are not simply viewed as an inherently vulnerable group but as actors and stakeholders in development.

ODA supports British non-governmental organisations in their work with women's groups in developing countries with, for example, ODA and NGOs funding projects for women which involve advocacy and legal literacy training to enable them to pursue equal rights in their own countries. ODA also seeks to increase the percentage of women working as Technical Co-operation Officers on ODA-funded projects, the proportion increased from 11% to 18% between 1991/92 and 1993/94.

Women's Role in Defence

Women in the British Armed Forces have long been employed in support areas such as administration, transport, communications and in the medical, nursing and legal services. In recent years their employment opportunities have widened significantly and they can now serve in combat roles in surface ships and as aircrew. There are currently over 700 women serving at sea in 34 ships. Since the introduction of sea service for women, over 1,860 female personnel have gained sea experience. Of these, over 600 are serving on or have completed their second sea draft. Aircrew roles were first opened to women in 1989 and there are now 11 qualified female pilots in the Armed Forces, including one in the Royal Air Force who has qualified as a fast jet pilot, flying Tornado aircraft. A further 29 women are under pilot training.

Since the establishment of NATO, women have served in large numbers with the British forces in Germany and around the world. Over 1000 women served in the Gulf during the campaign to liberate Kuwait and women are currently serving in support roles with UN peacekeeping services in Cyprus and the Former Yugoslavia and with the Royal Navy patrolling the Adriatic Sea.

8.2 Women in the Armed Forces serving in the United Kingdom and abroad

NUMBER AND PER CENT

	Number of women	Women as a percentage of total
June 1980	16,453	5%
June 1985	16,375	5%
July 1992	19,557	7%
July 1993	8,764	7%
July 1994	17,591	7%

Source: Ministry of Defence

ARTICLE 9

NATIONALITY

1. *States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.*
2. *States Parties shall grant women equal rights with men with respect to the nationality of their children.*

Nationality legislation

United Kingdom nationality legislation generally reflects the principle that men and women have equal rights in this area and there have been no changes since the last report.

The requirements for naturalization apply equally to men and women and relate mainly to character and to length of residence in the United Kingdom. Similarly, the criteria for deprivation of citizenship do not distinguish on the grounds of sex. The autonomy of spouses is respected to the extent that there is no provision for the automatic loss or acquisition of British citizenship on marriage. A change of nationality by one party during the marriage has no automatic effect on the other party.

Both male and female British citizens are able to transmit their citizenship to children born outside the United Kingdom in exactly the same way. In the case of a woman, this is so whether or not the child is legitimate. The right of a woman to confer her nationality on any of her children born abroad was introduced by the British Nationality Act 1981. It was not applied retrospectively but administrative provision was made for children below the age of 18 born abroad to British women before commencement of the 1981 Act to be registered as British citizens upon application.

Immigration Rules concerning Marriage

As previously reported, the United Kingdom Immigration Rules permit spouses to enter or remain in the United Kingdom for twelve months in the first instance. This rule is applied in precisely the same way to both men and women and is designed to guard against abuses by those who are prepared to use marriage as means to obtain settlement in the United Kingdom to which they would not otherwise be entitled. From 1 October 1994 both male and female students from overseas have been permitted to be accompanied by their spouse for the period of study provided the spouse can be adequately maintained and accommodated without recourse to public funds.

Those permitted to remain for twelve months are protected by UK law, including as it relates to, for example, domestic violence. In its response to the Home Affairs Select Committee on Domestic Violence (see Article 16) the Government's view was that it might be beneficial to consider developing practical ways of ensuring that women permitted to remain for twelve months, and who might feel especially vulnerable to the threat of violence should be informed of their status and of the help and advice available to them. The Government hopes to produce a leaflet aimed at immigrant women providing details of the help and advice available to those who suffer domestic violence. It is intended that the leaflet will be produced in a number of different languages. The message of the leaflet will be clear: that nobody, whatever their immigration status, has to suffer abuse or violence.

During the period 1 October 1993 - 30 September 1994 some 600 applications for further or indefinite leave to remain were refused on the ground that the marriage had broken down during the twelve month probationary period. Of those refused, 300 were wives and 300 were husbands.

The United Kingdom has ratified both the Council of Europe Convention on the Recognition and Enforcement of Decisions concerning the Custody of Children and the Hague Convention on the Civil Aspects of International Child Abduction. These conventions make no distinction on the grounds of sex of the parent. Children may travel on the passport of any family member, male or female. If the child of an unmarried couple is to travel on the father's passport, the written agreement of the mother must be obtained.

ARTICLE 10
EDUCATION

State Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

a. The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

b. Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

c. The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaption of teaching methods;

d. The same opportunities to benefit from scholarships and other study grants;

e. The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

f. The reduction of female student drop-out rates and the organisation of programmes for girls and women who have left school prematurely;

g. The same opportunities to participate actively in sports and physical education;

h. Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

The framework for education and careers advice

In the UK responsibility for the provision of education is devolved to local education authorities and schools, colleges, and universities. All are bound by the requirements of the Sex Discrimination Act 1975 to ensure equality of opportunity for both sexes. Guidance is provided nationally for governing bodies on these requirements and is reviewed regularly.

As part of its recently developed Citizen's Charter series, the Government published charters for further and higher education in 1993. These spell out students' entitlement to equal treatment irrespective of gender and their right to expect colleges and universities to take account of any learning difficulties or disabilities. Institutions are expected to publish their policies for promoting equal opportunities and encouraging under-represented groups.

Since 1994, in a new arrangement, the Careers Service has been delivered by organisations under contract to the Government. Each Careers Service is required to have an equal opportunities policy covering its internal operations and its client services and to monitor the effectiveness of this policy. Guidance provided by the Service must be impartial, avoid stereotyping and promote equality of opportunity for all. Their activities include working with schools and colleges to ensure that boys and girls are given equal access to all subjects, to encourage parents and employers to keep an open mind about non-traditional jobs, and to introduce employers to others who have been pleased with their experience of non-traditional recruitment. Careers advice is available to all pupils throughout their secondary schooling, with more formal guidance built into the pastoral curriculum from age 14.

All schools and colleges are expected to provide careers education and guidance for their students and also to promote equal opportunities in education, training, and employment in this work. In November 1994 the Government issued guidance, "Better Choices", which made clear that equal opportunities must be a central tenet of good practice.

Access to education

Compulsory education for girls and boys begins at around age 4 in Northern Ireland and at around age 5 in all other parts of the UK and ends at the end of the school year in which individuals become 16 years of age. However, pre-school education is available to large numbers of 3 and 4 year olds. In 1992/93, 55% of under 5s in the UK were receiving pre-school education in schools. There is little difference in the number of girls and boys making use of these facilities. In 1994 the government made a commitment that, over time, there will be a pre-school place for all four year olds whose parents want one for their child.

The great majority of nursery, primary and secondary school places are in mixed schools. In the maintained school sector some 5% of places are in single-sex schools: there are more single sex places for girls than boys, reflecting the greater demand for single sex education for girls in some areas. Since 1994 the arrangements which govern the funding of local education authority and grant-maintained schools are such as to preclude discrimination in law in the allocation of funding between girls and boys, or between single-sex and mixed schools which are otherwise similar in terms of size, age range and any other relevant characteristics.

Curriculum entitlement

The Government's paramount aim in education is to raise standards for all pupils, girls and boys, across the curriculum. In pursuit of that aim it has introduced the National Curriculum and assessment tests. There is also a commitment to publish annual information about the performance of schools in each area, including examination results. Schools are periodically inspected and inspection reports are published. If schools fail to provide an acceptable standard of education, a programme of remedial help is drawn up.

The National Curriculum which has been introduced in England and Wales in phases from 1989, requires all pupils, girls and boys, in maintained schools to study the same core and foundation subjects including science and technology up to age 16. Specifically, all pupils must study English, mathematics, science, and physical education to the age of 16 (except for Welsh-speaking classes who are exempt from the Key State 1 programme of study for English): geography, history, art and music up to the age of

14, and a modern foreign language from the age of 11. In England boys and girls must study technology up to the age of 16 and in Wales to age 14. In addition, all pupils in Wales study Welsh from the age of 5 to 16. Thus girls and boys have access to the same basic curriculum throughout compulsory education. In order to measure the effectiveness of the National Curriculum, there are now regular and straightforward tests for all 7 and 14 year olds, and tests for 11 year olds will be introduced during 1995.

Girls are responding well to these new opportunities. In the 1994 assessment results they generally outperformed boys in the basic skills benchmarks for reading, writing, arithmetic and other subjects at age 7, and matched boys in attainment of the benchmarks for age 14 across the secondary curriculum. Girls' achievements at General Certificate in Secondary Education, (GCSE) level at age 16 are described in the following section. The Department for Education and Employment intends to monitor schools' success in offering the full National Curriculum to girls through the annual reports of the Office for Standards in Education (OFSTED), and the results of assessment tests at ages 7, 11 and 14, as they come on stream, to identify any gender discrepancies.

In Northern Ireland, a statutory curriculum introduced in 1989 offers equal access to a broad and balanced education for all pupils, both boys and girls, throughout their school careers. It is made up of religious education and six areas of study: English, mathematics, science and technology, the environment and society, creative and expressive studies, and language studies (the last applies to secondary schools and Irish medium schools only). Within these areas of study certain subjects are compulsory - all pupils must study at least one subject from each of them up to age 16. Assessment arrangements for schools in Northern Ireland broadly parallel those in England and Wales.

The provision of education in Scotland is governed by different legislation from that in England and Wales. The school curriculum is not statutorily prescribed but the Secretary of State issues guidance to education authorities, based mainly on advice from HM Inspectorate of Schools and the Scottish Consultative Council on the Curriculum (SCCC). Guidance on equal opportunities was published in 1987 and 1993; it encourages the active promotion of equal opportunities in all school activities and equal access to all subjects of the curriculum.

School leavers' examination achievements

The proportion of both boys and girls leaving school without a General Certificate in Secondary Education (GCSE) or equivalent qualification has declined steadily over the last 20 years, with the rate for girls consistently below that for boys. In Great Britain in 1975/76, some 18% of girls and 20% of boys left school without a qualification, but by 1991/92, the comparable figures were 6% and 8% respectively.

At GCSE level, that is at ages 15/16, there has been a marked improvement in achievements generally and girls have consistently outperformed boys in the attainment of higher grades. In the UK between 1985 and 1991 the proportion of girls gaining at least one GCSE (Grades A-C) or Scottish Certificate of Education Standard Grade (1-3) or a higher qualification rose from 59% to 74%.

10.1 Highest qualifications attained by school leavers in the United Kingdom: 1985, 1991, 1992/93

PER CENT AND THOUSANDS

	Girls			Boys		
	#1985	1991	1992/3	#1985	1991	1992/3
Percentage with						
1 or more A+levels/ 1 or more SCH H grades	19	31	31	18	18	28
5 + GCSE* passes A - C (no A levels)	12	17	17	8	10	13
1 - 4 GCSE passes A - C	29	25	25	25	24	23
1 or more GCSE passes (lower grades)	31	20	20	34	34	29
No GCSE passes	10	6	6	15	13	7
Total school leavers (= 100%) thousands	427	312	312	442	444	324

Source Department for Education and Employment

Notes # 1985 data is GB only

In Scotland SCE Standard Grade is broadly equivalent to the GCSE in England and Wales SCE Higher Grade is usually taken in one year and is intermediate between GCSE and A Level 3/4 Highers are roughly equivalent to 2/3 A Levels

Girls' attainments at Advanced (A) level and equivalent also compare well with boys' in general. Until the early 1980s a higher proportion of boys than girls used to leave school with one or more A levels, but since then girls have at least matched boys and frequently done better. In particular, girls are achieving slightly higher level passes in mathematics, physics, chemistry and technology - although the number of girls taking these subjects is lower than the number of boys. In England in 1993/94, for example, some 35,700 boys took A level mathematics with nearly 80% achieving pass grades A - E, while 19,800 girls sat this subject with a success rate of just over 82%. Twice as many boys as girls take A level maths, and in physics and technology the proportions are around 3:1 and 4:1.

Substantially more girls than boys still take A levels in English, Biology, French and History. There is a similar pattern in Northern Ireland where more than twice as many boys, 29%, as girls, 13%, took science only subjects at A level in 1992/93. 49% of girls only took examinations in arts subjects compared with 34% of boys. In Scotland, where students tend to study four or five subjects for the Scottish Certificate of Education (SCE) Higher Grade at age 17, the number of schoolgirls passing SCHE grade examinations in all three subjects of physics, chemistry and mathematics increased from 4% in 1985/6 to 6% in 1993/4, whilst the figures for boys remained constant at around 9% over the same period. However the proportion of girls and boys taking at least one of these subjects has increased over the same period - from 15% to 22% for girls and 17% to 24% for boys.

Further and Higher Education

There has been a substantial increase in participation in all forms of further and higher education and women form the majority of these students. Of the 6 million students engaged in education at these levels in the UK in 1992/93, 60% were women.

Girls have been staying on in full-time education and training at age 16 in greater numbers than boys for many years. For example, in 1979/80 38% of boys but 46% of girls stayed on; by 1993/94, 70% of boys and 76% of girls were doing so. In further education there were some 840,000 UK women students enroled on courses leading to specified qualifications in 1992/93, an increase of nearly 44% on the equivalent figure for 1985/86. Nearly two thirds of these students were aged 19 and over.

The introduction of General National Vocational Qualifications (GNVQs, SNVQs in Scotland) in 1992 as part of a national post-16 qualifications framework is intended to attract more men and women into vocational education. These courses provide subject knowledge and understanding and a range of core skills and basic skills in communications, problem solving, mathematics and information technology which employers seek in new recruits. More than 2000 colleges and schools are offering GNVQ courses in 1994/95.

10.2 Women as a proportion of all enrolments in further education by subject group 1988/89 and 1992/93 in the UK

NUMBER AND PER CENT

Subject	1988/9	1992/3	Per cent change
Medicine and Dentistry	2,899 *(82%)*	3,208 *(85%)*	+3
Allied Medicine	30,726 *(86%)*	54,145 *(89%)*	+3
Science (1)	35,543 *(40%)*	64,953 *(47%)*	+7
Engineering and Technology (2)	24,442 *(9%)*	23,385 *(7%)*	-2
Social Sciences (4)	1,946 *(74%)*	56,875 *(83%)*	+9
Business Studies (3)	322,778 *(72%)*	286,256 *(69%)*	-3
Music, drama, creative arts	179,159 *(70%)*	264,558 *(68%)*	-2
Education	32,949 *(62%)*	45,704 *(61%)*	-1
Other subjects (4)	496,684 *(63%)*	497,406 *(60%)*	-3

Source: Education Statistics for the UK

Notes:

1. *Includes Biological Sciences, Agriculture, Physical Sciences and Maths/Computing*
2. *Includes Engineering and Architecture*
3. *Includes Business and Financial Studies and documentation*
4. *Includes GCSE/GCE SCOTVEC and other general and combined courses*

There have been substantial increases in higher education enrolments by men and women since 1970/71. Among full-time enrolments male numbers increased by 81% over this period to 496,000 in 1992/3 but numbers of women increased by more than 150% to 460,000. Among part-time enrolments women increased ten-fold, far in excess of the increase in male numbers, and around a third of both male and female students are part-time. The overall effect has been that whereas there were twice as many men as women in higher education in 1970/71, there were only 11% more men than women in 1992/93. Almost half of all graduates from full-time first degree courses and one third from sandwich first degree courses were women. The number of female postgraduate students has risen sharply since 1980/81.

10.3 Numbers of men and women gaining higher education qualifications in UK first degree and postgraduate courses

THOUSANDS AND PER CENT

	Women	Men	Per cent Women
1980/81	78	144	35%
1985/86	103	158	39%
1990/91	152	185	45%
1991/92	172	204	46%

Source: Department for Education and Employment

An increasing emphasis on more flexible learning systems by both further education colleges and universities including access courses, modularisation, credit accumulation and transfer schemes, part-time studies and summer teaching are particularly beneficial for women returning to the labour market. Growth in "access" courses, which offer flexible learning programmes with fewer formal entry requirements has been a particularly important factor in expansion of the number of people in higher education. Numbers of such courses increased ten-fold from around 130 in 1984 to more than 1,200 in 1994/95. Some are designed specifically to help women gain entry to courses in architecture, electronics, information technology and mathematics, and others in which they have in the past been under-represented. Women account for 60% of participants on Access to Higher Education courses.

The Government has supported a number of schemes and projects to encourage women returners to teaching and the Teacher Training Agency (TTA) is continuing to develop ways of attracting women back into the profession.

While nearly half of men first degree graduates qualified in science subjects less than a quarter of women did so. Take up by women in this area has primarily been in the biological sciences and in studies allied to medicine. Women are still a minority in the other sciences and engineering, particularly at postgraduate level. In 1992/93 more than a half of women postgraduate students were on science and education courses. Women graduates also achieve fewer first-class degrees. There is no agreement as to why this occurs. Women graduates have long received a smaller proportion of firsts than men but they have also achieved a smaller proportion of thirds and a higher proportion of upper seconds. These results hold within individual subjects and so do not depend on the smaller proportion of women in physical sciences and mathematics where firsts are more plentiful. Any difference in women's achievements in the UK degree system therefore applies to first class degrees and not to good degrees more generally.

10.4 Women as a proportion of all enrolments in full and part time higher education courses in the UK: 1988/9 and 1992/3

THOUSANDS AND PER CENT

Degree	1988/89	1992/93	Per cent change
Medicine	13,111	15,479	+ 5
	(44%)	*(49%)*	
Allied Medicine	94,361	122,481	+ 1
	(82%)	*(83%)*	
Science	47,400	71,196	+ 3
	(33%)	*(36%)*	
Engineering and technology	18,292	29,292	+ 2
	(11%)	*(13%)*	
Social studies	51,735	77,758	+ 3
	(52%)	*(54%)*	
Business studies	90,065	129,259	+ 3
	(46%)	*(49%)*	
Music etc	74,013	97,604	-
	(60%)	*(60%)*	
Education	45,635	86,292	+ 5
	(68%)	*(73%)*	
Other subjects	45,105	128,576	-1
	(54%)	*(53%)*	

Source: Education Statistics for the UK, 1990 and 1994 editions

Educational and Vocational Grants and Loans

Student loans are available to full-time and, in specified cases to part-time, higher education students from their local education authority to help them meet their living costs. Conditions for eligibility are neutral in gender terms. Repayment terms include the right of deferment on income grounds which may be of value to women taking a career break or working part-time. In the academic year 1993/94 some 43% (440,800) of eligible female students compared with 52% (443,400) of eligible male students took out a student loan. In 1990/91 the proportion of women was 40%. The Student Loans Company, which administers these arrangements has been invited to consider how they are working in relation to women and to comment on this in future annual reports.

Career Development Loans (CDLs) are available to both employed and unemployed people. CDLs are designed to help individuals who do not have access to funds to pay for their own vocational education, training or re-training. People who have been out of work for three months or more, including returners to the labour market, can apply for loans covering 100% of the course fees, provided their application is endorsed by their local TEC or LEC. Other applicants may apply only for a maximum of 80% of their course fees. Women are increasingly successful in their CDL applications: in 1993/94 they secured 35% of CDLs compared with 30% in 1991/92.

Continuing Education

In 1994 women accounted for around 72% of the 1,169,986 participants on adult education courses. The Further Education Funding Councils and local education authorities are jointly responsible for securing the provision of all kinds of further education for adults, and are funded to do so. Adult learners account for much of the expansion in further education referred to above, to the point that adults now form the majority of further education students. Women make up nearly two thirds of all enrolments by adults in further education. Under current legislation introduced in 1992 particular priority is given to courses offering access to higher education for adults without traditional qualifications, many of whom are women. This partly accounts for the fact that mature students are now in the majority in higher as well as further education. Further information about mature women students is provided in this report in the "Training" section under Article 11.

In Scotland, the Scottish Wider Access Programme (SWAP) was launched by the Government in 1988 to promote access to higher education for adults, particularly targeting disadvantaged and under-represented groups, including women. Provision statistics for 1992/93 indicate that 52% of SWAP participants were women.

Literacy and numeracy

The Government-funded Adult Literacy and Basic Skills Unit (ALBSU) estimates that about one in six of the adult population has difficulty with the basic skills of reading, writing and/or basic maths although the number of people who have no literacy or numeracy skills is minimal. There is little difference between the sexes in literacy rates, although fewer women - 17% - score highly for literacy than men - 24%. The pattern for numeracy is more marked, with 18% of women with high scores compared with 34% of men.

In the ethnic minorities, more women than men have difficulties with basic English. Women account for 56% of the 11,004 people recorded as attending further education "second chance" literacy courses and for 60% of the 3073 people recorded as attending "second chance" mathematics courses in 1993/94.

Family Literacy, a new initiative to improve literacy among children and adults launched by the Government in 1993, is designed to help parents improve their own literacy and at the same time support the development of their children's skills. The majority of parents receiving support under the programme are mothers, but this is largely because the programme is aimed at parents who are able to attend their children's school during the day.

Elimination of Stereotyping

Women have made significant progress in education in recent years. Girls outperform boys in public examinations at ages 16 and 18 and are now almost as likely as boys to go on to further and higher education. While the evidence suggests that girls are particularly likely to do well in single sex schools, those in co-educational schools also perform better than boys. These developments are likely to prove beneficial for girls' future careers - for example, 77% of professionals and 38% of employers and managers have either a degree or other higher education qualification.

The proportion of women gaining posts as head and deputy head of schools - and thus acting as potential aspirational role models for women - is also increasing, though women are less well-represented than men in these posts in secondary schools and in all posts in further and higher education. Women, particularly from age 16 upwards, are still choosing to study arts in preference to science, engineering and technology subjects which can lead to constraints in their future choice of career and contribute to job segregation.

Under the Sex Discrimination Acts, all education and training bodies have the discretion to take positive action by providing and supporting courses for women in occupational areas in which they are under-represented. Responsibility for sex discrimination and stereotyping issues lies with the school governors and headteachers of these bodies rather than with a central prescriptive body.

In England, OFSTED is a non-Ministerial Government department which has the duty of keeping the Secretary of State for Education and Employment informed about the quality and standards of education, financial management, and spiritual, moral and cultural development of pupils in schools. Equal opportunities are kept under consideration within this context. In England, OFSTED's framework for inspection covers all aspects of pupil performance, including gender equality. In Wales the framework is contained within comprehensive guidelines in the Handbook for Inspection of Schools; it contains forms, to be completed by inspectors, which ask for yearly achievement statistics by gender for each school and for each school year. In Scotland, the "Handbook for Information for HM Inspectors of Schools (Scotland)" contains guidance on equal opportunities. In addition, the Government's Parents Charter (1994) which was distributed to every home in England stresses the right of every child to a broad and balanced programme of studies and school governors are informed of their responsibilities under the law for any discriminatory acts which may take place in their schools. The Parents Charter was also widely publicised in Scotland, and 55,000 copies were issued on request.

The Equal Opportunities Commission also issued guidance in 1991 for schools on avoiding sex stereotyping in educational opportunities for boys and girls "Equal Opportunities in Schools - A Guide for Governors". The Northern Ireland Curriculum Council (subsequently replaced on 1 April by the Northern Ireland Council for the Curriculum, Examinations and Assessment) has issued guidance to all primary and post-primary schools on equal opportunities in the classroom, including advice on teaching strategies and pupil responses. In general teachers are expected to be able to deal with gender issues as part of their professional work.

A number of initiatives are in place to encourage girls to become more technologically aware and to consider careers in science and engineering. These include Women into Science and Engineering (WISE), an Engineering Council initiative supported by the Government and the Engineering Council, which has provided mobile hands-on experience for girls around 13-14. Women have also been successful in the Young Engineer of the Year awards. The Technical and Vocational Education Initiative (TVEI) has succeeded in promoting girls' interest in technology subjects, traditionally an area of low female participation.

The Government is concerned to increase girls' and women's participation in science, engineering and technology (SET). In March 1993 it established an independent committee to review the issues. The committee's report "The Rising Tide - a Report on Women in Science, Engineering and Technology" was published in February 1994. In its response, published in July 1994, the government accepted that many young people would benefit from broadening their post-16 studies and recognised that this might encourage greater take up of science subjects. This could be achieved by their taking the option of Advanced Special (A/S) qualifications (approximately the equivalent of one year's study towards an A level) and the recently introduced vocational courses in science, alongside their other advanced level studies.

A Development Unit was established within the Office of Science and Technology in 1994 to promote the participation of women in SET and has now begun to take steps to raise awareness of the contribution women can make to SET, to ensure access to adequate careers advice, and to promote good employment practices.

Women from ethnic minority groups

All education bodies are also bound by the Race Relations Act 1976 to ensure equality of opportunity. Information provided in "Black and Ethnic Minority Women and Men in Britain 1994" jointly published by the Equal Opportunities Commission and the Commission for Racial Equality indicates that white women in the UK are most likely to have a qualification but, of those ethnic minority women who are qualified, higher proportions than white women are qualified to degree level or above. Attainments by women from different ethnic minority groups vary widely with Black African, Chinese and Asian women most likely to have achieved qualifications beyond A level and Pakistani and Bangladeshi women least likely to have done so.

There is a generally far more marked generational difference for ethnic minority groups than for the white population in the proportions holding higher education qualifications above A level or equivalent. For example the proportion of younger white, black and Indian women who have attained degree or further degree level is three times higher than that of their older counterparts.

10.5 Highest qualification held by women in Great Britain for each ethnic group

PER CENT

	Postgraduate	First degree or equivalent	Beyond A level but below first degree level	All qualified beyond A level
White	0.6	4.4	6.7	11.5
Black Caribbean	0.3	2.4	9.3	12.0
Black African	1.9	7.5	12.7	22.1
Black Other	0.9	4.8	7.6	13.3
Indian	0.7	6.0	3.9	10.6
Pakistani	0.3	2.5	1.3	4.0
Bangladeshi	0.3	2.1	0.4	2.8
Chinese	2.1	9.7	11.8	23.6
Asian	1.2	7.4	11.3	19.9
Other	1.8	9.5	10.1	21.4
All women aged 18+	0.5	4.4	6.7	11.6

Source: 1991 Census

Participation in sport

The Government is committed to providing physical education and sport for all school pupils regardless of their ability, gender, religion or cultural ethnic background. Physical education, which includes sport and team games, is one of ten foundation subjects of the National Curriculum and is compulsory for all pupils aged 5-16. In school, pupils are expected to be treated as individuals and should be taught physical education and sport in ways appropriate to their own particular abilities, difficulties and attitudes. It is for school governors and headteachers to ensure that equal access and opportunities in physical education and sport are provided for all pupils.

A recent Sports Council survey on Young People and Sport found that girls spend far less time playing sport (including activities such as dancing) than boys out of school hours during term time and during the summer holiday period. The survey also found that this difference begins at an early age and continues through to later years of secondary school. Amongst the oldest children the proportion participating in sport for at least ten hours per week was four times higher for boys than for girls. There are, however, a number of successful role models of women in sport including women from amongst ethnic minorities.

Education for family life

Since 1 September 1994 all maintained secondary schools in England and Wales must by law, provide sex education, including education about HIV, AIDS and sexually transmitted diseases. All sex education provided must by law encourage pupils to have due regard to moral considerations and the value of family life.

Guidance published by the Government in 1994 encourages schools to work together with parents, education and health authorities to ensure that young people have the information necessary to enable them to take responsible decisions about their personal and sexual behaviour, to appreciate the value of stable family life and the responsibilities of parenthood. Within the statutory framework of the Education Act 1993, the detailed organisation and delivery of the curriculum is a matter for schools themselves to decide.

Criteria for initial teacher training courses in England and Wales require that newly qualified primary teachers have a readiness to promote the spiritual, moral, social and cultural development of pupils, and that secondary teachers have an awareness of individual differences, both social and cultural.

In Scotland, guidance to schools promotes sex education as part of an integrated programme on social and personal relationships. In the Northern Ireland curriculum the science programme of study contains compulsory elements of sex education relating to human reproduction. Additionally, pupils must learn about viruses, which gives teachers an opportunity to raise the subject of HIV and AIDS. The Health Education cross-curricular theme also provides an opportunity to promote sexual health. It is left to each school to determine the level and type of sex education according to its own moral and religious ethos, and taking account of the maturity of the pupils concerned, within the requirements of the Northern Ireland curriculum.

Retention of pupils

Government guidance published in 1994 makes it clear that the proper place for a pupil under 16 who is pregnant is normally in school, unless there is a medical reason to the contrary. However, many local authorities make arrangements, in consultation with these pupils and their parents, for a period of education away from school. Since September 1994 specific provision solely for pregnant schoolgirls is often provided at a Pupil Referral Unit (PRU) designated for that purpose. These units almost always offer creche facilities. They aim to tailor the education they provide to the particular needs of the expectant or young mother.

While PRUs are not obliged in law to deliver the full curriculum there is an obligation to provide the core subjects of mathematics, English and science and many units aim to provide the full curriculum, tailored to each girl's needs. The time at which pregnant girls enter the PRU varies between local authorities. Some arrange for transfer to the

Unit as soon as they are advised the girl is pregnant, while others wait until the girl's condition is more advanced and may make school attendance difficult or embarrassing. In many instances the original school will continue to provide specialist subject provision.

A recent report prepared for the Government on truancy in English secondary schools showed no marked difference in truancy between boys and girls overall, undermining the old notion that truancy is predominately a male phenomenon. The rates found were 31% of boys and 30% of girls admitted to truancy at some point. To tackle the problems of truancy and disaffection, the Government has supported a number of locally devised projects in England. These schemes are designed to help ensure that all children receive a full programme of study.

Status of women teachers

Women are well represented in, and continue to be attracted to, teaching. In 1992, 65% of teachers in maintained schools in England and Wales were women - more than 80% in nursery and primary schools, and nearly 50% in secondary schools. Women account for some 70% of new entrants to courses of initial teacher training leading to qualified teacher status. Of previously qualified teachers who enter teaching late or return after a career break, accounting for roughly half of new appointments, most are women.

In September 1994 the Teacher Training Agency (TTA) was established to bring together for England functions for initial training (ITT), in-service training (INSET) teacher supply and the promotion of teaching as a career. The Agency has been asked specifically to ensure equal opportunities for access to the teaching profession and to encourage institutions to provide in their admission arrangements for students who have the qualities to become effective teachers, irrespective of age, sex, race, experience or background. Another relevant development, directly supported by the Government, is the Open University's Post Graduate Certificate of Education (PGCE) courses which began in January 1994 with an intake of some 1,200 students. Women accounted for more than 75% of the first year's intake.

The proportion of women in senior posts has generally increased, particularly in recent years, but is still smaller than their share of teaching posts as a whole. In England and Wales in 1993 women held 50% of nursery/primary headships compared with 44% in 1981, and 68% of deputy headships compared with 61% in 1981. In secondary schools women held 22% of headships compared with 16% in 1981, and 34% of deputy headships compared with 31% in 1981. The most recent figures reflect significant improvement in the percentages of women gaining promotions to head and deputy head: in 1992/93, 77% of promotions in England went to women with 37% of these in secondary schools, compared with 63% and 31% respectively in 1985/86.

In Education Authority primary schools in Scotland, the proportion of head teachers who were female was 71% at September 1992 compared with 58% in September 1983. In the Assistant Headteacher grade, the proportion who were female was 91% at 1992. (The Assistant Headteacher grade did not exist at the time of the September 1983 school census.) In secondary schools run by the Education Authority, the proportion of headteachers who were female was about the same for 1992 as it was in 1983, around 3%. The proportion of female deputy headteachers was 9% in 1992 compared to nearly 7% in 1983. In 1993, 66% of the teaching force in Northern Ireland were women who held 39% of principal head posts in Northern Ireland.

The figures showing representation of women at the top of the teaching profession reflect a number of factors, among them the different age profiles of women and men teachers - with higher proportions of women under 40 in both primary and secondary schools - and significant differences in length of service - with, for example, 60% of men in secondary schools having 15 years or more of experience compared to just under 40% of women. The influence of these factors is being monitored.

The pattern of women's representation amongst teaching staff in further and higher education is different from that in schools: while women are better represented than 20 years ago, college and university teachers are still predominantly men. Women are also much less well represented in senior posts, though there has been some modest improvement recently. In further education 33% of full time teachers in 1992/93 were women compared to 21% in 1980/81; and in universities 16% in 1992/93 compared to 12% in 1980/81. Amongst lecturers, readers and senior lecturers in universities in Great Britain 10% were women in 1993 compared to 7% in 1989.

ARTICLE 11

EMPLOYMENT, HEALTH AND SAFETY AND SOCIAL WELFARE

1. *States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:*
    a. *The right to work as an inalienable right of all human beings;*
    b. *The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
    c. *The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
    d. *The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
    e. *The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
    f. *The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*

2. *In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*
    a. *To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
    b. *To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
    c. *To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities;*
    d. *To provide special protection to women during pregnancy in types of work proved to be harmful to them.*

3. *Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

A EMPLOYMENT

Women's participation in the labour market

Although a smaller proportion of women than men participate in the UK labour market, their activity rates are getting closer to those of men so that women now account for 44% of the labour force. From 1984 to 1994 the economic activity rate in Great Britain for women of working age rose from 66% to 70%, while that for men has more recently fallen from 88% to 85%. The economic activity rate for women aged 25 to 34 years rose by over 25 percentage points between 1971 and 1993, a greater increase than for any other group. This increase may be partly attributable to an increase in the average age at which women have children. Women aged from 45 - 70 are significantly less likely to be economically active though their participation is likely to increase in future: for example, in 1993, 54.6% of women aged 55-59 years were working compared to 75.4% of men.

Economic activity rates vary between ethnic groups. In spring 1994, 75% of White women aged between 25 and 44 were economically active compared with 71% from the Black ethnic group, much smaller than the gap between men of the same age from these two ethnic groups. However, just under one in four Pakistani and Bangladeshi women were economically active.

11.1 Population of working age economic activity rates: by ethnic group, gender, and age, spring 1994

United Kingdom PER CENT

	Males			Females		
	16-24	25-44	45-64	16-24	25-44	45-59
White	77	95	79	67	75	70
Black[1]	62	86	77	51	71	72
Indian	55	93	76	51	69	53
Pakistani/ Bangladeshi	57	92	63	35	24	..
Other[2]	45	82	80	34	57	54
All ethnic groups[3]	75	94	79	65	74	70

Source: Department for Education and Employment

[1] *Includes Caribbean, African and other Black people of non-mixed origin.*
[2] *Includes Chinese, other ethnic minority groups of non-mixed and people of mixed origin.*
[3] *Includes ethnic group not stated.*

With regard to women with health problems or disabilities expected to last more than a year, Labour Force Survey estimates indicate that 36% of women with health problems are economically active (in employment or ILO unemployed) compared with 75% for those without health problems - compared to 47% and 84% of men for the same categories. ILO unemployment is higher for women with health problems: 18% compared with 7% for women without health problems, a similar disparity to that of men.

Mothers' participation has also increased, the only exception to the trend being lone parents, whatever their qualification levels. The age of the youngest dependent child is a more significant factor affecting the activity rates of mothers than the number of dependent children.

11.2 Economic activity status of women: by age of youngest dependent child, Spring 1994

United Kingdom PER CENT

	Age of youngest dependent child 0-4	5-10	11-15	No dependent children	All women aged 16-59
Working full-time	16	20	34	46	36
Working part-time	30	45	40	23	29
Unemployed	6	6	4	5	5
Inactive	48	29	22	25	30
All women (=100%) (thousands)	3,414	2,085	1,497	9,817	16,813

Source: Department for Education and Employment

Unique among EU member states, the UK has a lower unemployment rate for women than for men for all age groups. In addition, the UK unemployment rate* for women is below the EU average. In spring 1994, the rate for women was 7% compared with 12% for men. Long term unemployment (over one year) is relatively rare for women; less than one third were long term unemployed compared with over half of the men. Unemployment is higher for ethnic minority women. In spring 1994, ILO unemployment rates were 24% for Pakistani/Bangladeshi women, 18% for Black women and 12% for Indian, compared with 7% for white women, though all these rates are lower than the comparative figures for men.

Since 1990, the number of people in full time jobs in the United Kingdom has fallen and there has been a significant rise in the number of people employed part-time, but unlike the rise in part-time jobs in the 1980s, these jobs have taken up nearly equally by men (246,000) and women (309,000). By 1994, 44% of women and 6% of men in employment worked part-time. Women therefore tend to work fewer hours than men, on average 31 hours per week compared to 44 hours for men, with a decrease since 1984 in average hours worked for both.

In response to a question in the Labour Force Survey (LFS), in spring 1994 around 88% of women working part-time said they either did not want to work full-time or had other reasons for not working full-time. Married women with young children were especially likely to work part-time by choice: almost 94% for those with children aged under 5. Almost 90% of married women who worked part-time did so because they did not want a full-time job. Figures from the Labour Force Survey for autumn 1994 included a question asking those who worked part-time by choice why this was so. The figures show that of those women who answered the question, one third said they did not want a full-time job because they wanted to spend more time with their family, and a further one third gave "domestic commitments" as their reason.

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* *All figures are based on the International Labour Organisation recommended measure which counts as unemployed those aged 16 and over who are without a job, are available to start work in the next two weeks and who have been seeking a job in the last four weeks or are waiting to start a job already obtained*

11.3 People working part-time who said they did not want full-time job - reasons for not wanting full-time work

Great Britain PER CENT

	Women	Men	All
Financially secure but want work	14	33	15
Earn enough working part-time	8	17	9
Spend more time with family	35	6	34
Domestic commitments	33	9	32
Other reasons	10	35	10
Total who answered question (000s)	3,708	199	3,906

Source Labour Force Survey, autumn 1994

Part-time work is a less important source of paid employment for ethnic minority women; about one third of those in employment work part-time compared with 45% of white women. This is probably due to ethnic minority families being less well off so full-time work is more necessary, and because they are more likely to work in manufacturing where part-time jobs are rarer.

There is a growing tendency for employees to have flexible working patterns. Flexible working hours (or flexi-time) was worked by around 10% of male and 15% of female full-time employees. They vary between different industries: for example, 18% of people working in banking, financial and business services work flexitime, compared with 6% in the distribution, hotels and catering and repairs industries. Almost 10% of part-time workers, mainly women, work during school term time only. Other flexible work patterns include annualized hours, teleworking, four and a half day weeks and nine day fortnights.

The numbers of people who are self-employed has shown a generally upward trend since 1979, almost doubling by 1994. The growth of self-employment among women has been even greater: women formed only 18% of total self-employment in 1979 but by spring 1994 this had risen to 25%.

Employment services and initiatives

The main job-search network, the Employment Service network of Jobcentres, is available to everyone, regardless of their gender, and over 50% of non-claimant users are women, of whom 95% are returners to the labour market. Women also account for almost 50% of the total number of people that Jobcentres placed into jobs. The Employment Service is committed to applying the principle of equal opportunities in its programmes and services and has programmes aimed at helping people effectively to seek and gain work. In 1993, the great majority of these programmes were open to people not registered as unemployed, for example, returners to the labour market or lone parents on state benefits. In Northern Ireland, the Training and Employment Agency is likewise committed to a policy of equality of opportunity for women.

The majority of men and women with disabilities are assisted through mainstream Jobcentre services and employment and training programmes. Indeed, people with disabilities have priority for a place on the Employment Department's main employment and training programmes. Where specialist help over and above that provided by mainstream services is needed it is provided through the Employment Services' national network of Placing, Assessment and Counselling Teams (PACTs). Within the teams, Disability Employment Advisors provide information on employment and training, and can arrange job samples with local employers. In Northern Ireland the Training and Employment Agency offices offer similar assistance.

Considerable efforts have been made to promote equal opportunities in employment in the public and private sectors and in partnership between both sectors.

- One such partnership initiative is "Chwarae Teg" ("Fair Play"), which was originally created in January 1992 by a consortium of local authorities, the Welsh Development Agency and the Equal Opportunities Commission (EOC) in Wales, with the Welsh Office contributing £50,000 in 1994/5. The aim of the Welsh initiative is to remedy the lower participation of women in employment in Wales by raising awareness and promoting good practice, particularly in flexible working, childcare and training.

- In England the new "Fair Play for Women" initiative launched jointly by the Government together with the EOC in May 1994, will develop similar regional consortia based on locally agreed priorities; a similar initiative is being considered for Northern Ireland in 1995. In Scotland, Scottish Enterprise is, with the Equal Opportunities Commission, developing proposals for a "Fair Play" initiative, as well as supporting Training 2000 which is a membership organisation working with employers to promote women's training and development, with network meetings and a range of other activities throughout Scotland.

- Opportunity 2000, an employer-led initiative launched by the Prime Minister in 1991, aims to increase the participation of women in the workplace at all levels and based on ability. The purpose of the campaign is to encourage companies to take up the challenge and set programmes and goals necessary for the improvement of women's representation in top and senior management and 25% of the workforce are in companies who are members of Opportunity 2000. They include the majority of Government Departments. In addition, the EOC's Equality Exchange, which has 400 member companies, provides an important mechanism to disseminate and exchange information on legal requirements and best practice.

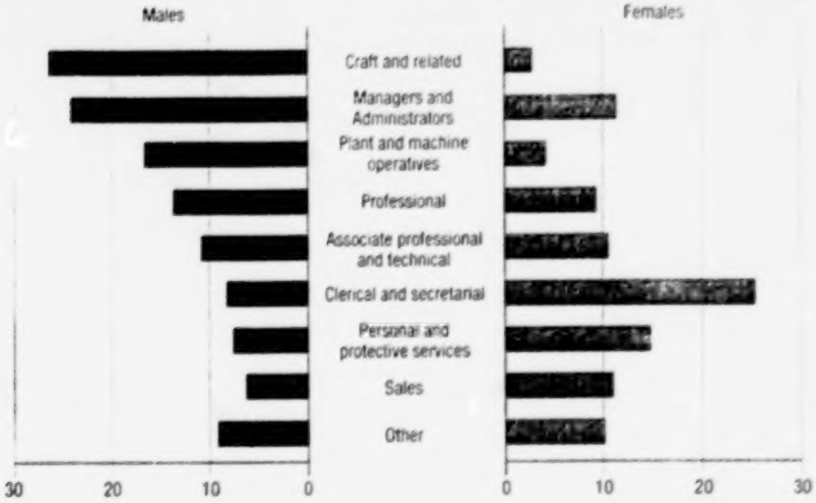
- The Government encourages the adoption of flexible working arrangements and has published two booklets "The Best of Both Worlds" in 1991 and "Be Flexible" in 1993, highlighting the advantages to employers and employees alike of such working arrangements as flexible working hours, part-time jobs and job-sharing.

Choice of employment

In law women have equal rights with men to the free choice of profession and employment. While women are branching out into new occupational areas, they predominantly still tend to select or be channelled into traditional occupations. Educational, training and career choices which may have been based on stereotyped or historically limited choices are likely to play a key role, as will women's perceptions that some careers are male-dominated and that they may not be made welcome.

Women are likely to work in smaller workplaces, especially those with less than 50 employees, and workplaces where labour costs make up over half of total production costs, typically the service sector. They are also less well represented in senior management and senior technical positions which may be predominantly or exclusively male, although women's representation in professional jobs has grown steadily. Nonetheless vertical and horizontal job segregation between women and men is still a significant factor in the labour market.

11.4 Employees and self-employed: by gender and occupation, spring 1994



Source: Department for Education and Employment

The great majority of women, 84%, work in the service sector compared with 58% of men. For some groups of women the concentration is even more marked: 86% of women with children and 89% of women in part time jobs work in services, in part because there is greater availability of flexible working patterns. There is a similar imbalance in occupations. Over half of all women in employment are in three occupational groups - clerical/secretarial, sales and personal services, such as, catering, nursing, hairdressing. Fewer than 15% of men are in such occupations. Ethnic minority women generally tend to work in lower status occupations such as cleaning, hotel and catering work.

Estimates from the Labour Force Survey (LFS) indicate an increase in representation of women in high status occupations, although long term trends are difficult to measure because of a change of occupational classification in 1991. The number of women lawyers has more than trebled, from 8,000 in 1984 to 28,000 in 1994, and 31% of lawyers are women. The number of women chartered accountants has more than doubled, from 19,000 in 1984 to 39,000 in 1994, and 23% of chartered accountants are women. The number of men scientists remained steady from 1991 to 1994 while women scientists rose by 18%, and 30% of all scientists in employment are women. In 1994, 30% of doctors and dentists were women. In common with other parts of the labour market, women are still less well represented than men at the top of these professions.

Over the last ten years the proportion of women in managerial, professional and associated occupations has increased from about 25% to over 30%. In response to a question in the LFS asking them if they are managers, 13% of women employees and 25% of men classed themselves as managers. More detailed information about those with managerial responsibilities is not available.

In response to an independent committee report "The Rising Tide - a Report on Women in Science, Engineering and Technology" which reported on women's under-representation in these fields, the Government has set up a Development Unit to promote the participation of women in science, engineering and technology (SET). They have also encouraged employers to respond to the committee's proposal that targets be set specifically for all public appointments and senior positions in SET, of at least 25% qualified women by no later than the year 2000.

Equal Pay

In 1970, before the Equal Pay Act was passed, women's average hourly full-time earnings were 63% of men's. The Employment Department's New Earnings Survey for 1994 shows that the pay gap between women and men continues to diminish: women's pay was 79.5% of men's, the narrowest gap ever. The pay gap has reduced in six of the last seven years.

The average hourly earnings excluding overtime of part-time women workers is 73.5% of their full-time equivalents. This is mainly owing to compositional factors, the different jobs female part-time employees do compared with their full-time equivalents. When comparisons are based on individual occupations, much of the difference disappears. In some areas - for example, managers and professionals, medical practitioners, teachers, and nurses - the hourly rate for part-time women workers are virtually on a par with, and in some cases in excess of, the hourly rate of full time equivalents.

Many different factors account for the pay gap between women and men. Recent research finds that observable factors such as differences in educational qualifications, limited experience and job-related factors such as working in unskilled occupations and less intensive training can explain around a quarter of the difference between men's and women's full-time wages. In one survey, while employer-provided training had some impact on wages for women, this generally held only for training with their current employer. Generally, employer-provided training has its biggest impact on the wage outcomes of low and middle-skilled workers.

Remaining differences in pay, not accounted for by observable factors, may in part be attributable to discrimination. Seldom is this direct sex discrimination in that women receive less pay than men for doing the same work. It can instead be characterised as indirect sex discrimination. For example, stereotypical attitudes may lead to jobs traditionally done by women being undervalued or jobs traditionally done by men being overvalued. Different job grading and payment structures for women and men are largely due to job segregation. Collective bargaining can exacerbate job segregation and different systems of reward. Though the extent of collective bargaining has declined in recent years, there has been a corresponding increase in the number of single-establishment agreements and individual contractual arrangements. This can also produce different reward systems for women and men. There is a lack of awareness and understanding of the concept of equal pay for work of equal value and job evaluation schemes have not been widely adopted. If all these factors of sex discrimination could be addressed, the gap between men's and women's pay would disappear: researchers suggest that women's pay might be 16% - 20% higher.

The Equal Opportunities Commissions for Great Britain and Northern Ireland have identified these and other reasons as explanatory causes of the pay gap. They have called on employers to examine their pay structures and payments systems, including merit pay, to identify and rectify any sex discrimination. The EOC's Code of Practice on Equal Pay (agreed following Government legislation in 1993 to clarify the Commission's power to issue such a code and produced in May 1995) will provide employers with advice and guidance on the meaning of equal pay for work of equal value and how to introduce pay arrangements free from sex discrimination. The Code will be admissible in legal proceedings and must be taken into account by tribunals in equal pay claims.

Unpaid Work

The Labour Force Survey gives estimates of women working unpaid for a family business in Great Britain: in spring 1994, 96,000 women were so involved compared with 47,000 men. The figures have shown a steady decline in both sexes since information was first collected in summer 1992 when the figures were 126,000 for women and 53,000 for men. The figures suggest that as the economy picks up more work is done on a paid basis.

International guidelines recognise that unpaid domestic labour makes a significant contribution to the general level of welfare. However this activity is presently excluded from economic aggregates as it is extremely difficult to value it in an economically meaningful way. For the future, an official UK time-use survey has been proposed as part of a European programme. This survey would provide information on which estimates of the value of the production of domestic services could be based. Such estimates would not be included in the main national accounts aggregates but could form a "satellite" account, linked to the main account.

The British Social Attitudes Survey which is carried out in Great Britain by Social and Community Planning Research asked married couples, and people who live as married, questions about who does certain household tasks. The survey found that men had greater involvement in certain household tasks in 1991 than they did in 1983 although the division of tasks is less equal than people think it should be. Women still take the main responsibility for the care of sick children, making the evening meal, doing the household cleaning and the washing and ironing.

11.5 Division of household tasks[1], 1983 and 1991

Great Britain

PER CENT

	Actual allocation of tasks						How tasks should be allocated		
	1983			1991			1991		
	Mainly man	Mainly woman	Shared equally	Mainly man	Mainly woman	Shared equally	Mainly man	Mainly woman	Shared equally
Household shopping	5	51	44	8	45	47	1	22	76
Makes evening meal	5	77	17	9	70	20	1	39	58
Does evening dishes	17	40	40	28	33	37	12	11	76
Does household cleaning	3	72	24	4	68	27	1	36	62
Does washing and ironing	1	89	10	3	84	12	-	58	40
Repairs household equipment	82	6	10	82	6	10	66	1	31
Organises household money and bills	29	39	32	31	40	28	17	14	66
Child rearing[2] Looks after sick children	1	63	35	1	60	39	-	37	60
Teaches children discipline	10	12	77	9	17	73	8	4	85

Source: Social & Community Planning Research

[1] *By married couples or couples living as married*

[2] *Data for 1983 relate to 1984*

B TRAINING

Employers' provision of training

In Great Britain, employees receiving job-related training in the four weeks prior to survey in the Labour Force Survey now stands at around 14% with women proportionally slightly more likely to have received training than men, although there were differences in the amount of training received according to the individual's occupational group and status. In professional, associate professional and technical, managerial and administrative occupations, a higher proportion of women than men received training. In other occupational groups women were less likely than men to have received job-related training than their male counterparts, but both men and women without such duties were equally likely to have received training. Part-time women employees were less likely to receive training than full-time men and women and part-time men employees.

Employees go on training courses for a variety of different reasons, the most common being to learn new skills. Other reasons vary according to gender. For example, men are more likely than women to want to improve their chances of promotion, while women are more likely to want to make their work more interesting.

11.6 Perceived benefits[1] of training: by gender 1991

Great Britain PER CENT

	Males	Females
To learn new sorts of skills	25	23
To improve chances of promotion	13	7
To make work more interesting	6	11
To improve chances of getting a better job	7	5
To earn more money	5	2

Source: Social & Community Planning Research

[1] *Respondents who stated that they would like more training were asked for their main reason.*

Public sector training programmes

Since April 1990, a network of employer-led Training and Enterprise Councils (TECs) in England and Wales, and Local Enterprise Companies in Scotland has been responsible for the delivery and development of the Government's training and enterprise programmes. TECs and LECs have a contractual requirement to ensure equal opportunities for women, ethnic minorities and those with disabilities and they have a strategic priority to help those at a disadvantage in the labour market find work.

In Northern Ireland training is the responsibility of the Training and Employment Agency and is delivered by agency-funded Recognised Training Organisations (RTOs). The Agency is committed in its Corporate Plan to supporting "the elimination of all forms of unlawful discrimination in employment and to using its services to help secure the objectives of the fair employment, sex discrimination and disabled persons legislation".

The "positive action" provisions of the Sex Discrimination Acts permit single-sex training and reserved places for under-represented groups in certain circumstances. This has allowed many TECs and LECs to provide a wide range of training to help meet women's needs. Special initiatives to help women back into the workforce include:

provision for women returners, including confidence building, skill updating and flexible and part-time courses

training in management skills and career development;

the development of accreditation of prior learning (APL), including the accreditation of unpaid work, whereby people can gain vocational qualifications on the basis of work they have done in the past, which may be of particular relevance in helping ensure women, particularly women returning to the labour market, are given credit for the skills they have gained;

Career Development Loans which enable individuals to pay for their own vocational training. Trainees' childcare costs can also be met;

networking with national and local women's organisations.

"Modern apprenticeships" for young people will be introduced nationally in 1995 through a partnership between Government and industry. They are as open to young women as much as young men and therefore provide an opportunity to challenge gender stereotyping at a critical time in young women's careers. Young people will be given advice and guidance on the full range of opportunities, including those in non-traditional areas such as engineering and computing. Young women's involvement in the programme will be monitored.

On Youth Training programmes, young women currently account for 41% of participants in Great Britain (35% in Northern Ireland). While the proportion of women on the programme has decreased slightly since 1986/7, the proportion obtaining jobs has changed very little, with 52% of women obtaining jobs compared to 48% of men. Young women are still choosing traditional occupations and are consequently under-represented in some professions. The Department for Education and Employment has therefore stressed the need for care in marketing and selection procedures and in the provision of advice by the Careers Service. The Department has also asked the Commission for Racial Equality and the Equal Opportunities Commission to send their equal opportunities' checklists to each Industrial Training Organisation.

Among trainees on the Training for Work programme, which prepares the unemployed and those returning to the labour market for work or further education or training (which is free and provides trainees with an allowance), around 33% of enrolments are women. Women do not need to be registered unemployed to secure a place if they have been away from the labour market for at least two years. 42% of women get a job at the end of training, compared with 31% of men, but most women still tend to choose to train in traditional occupational areas.

Ethnic minority women are more than twice as likely as white women to be on Government training schemes and there is a particularly high concentration of women from Pakistani and Bangladeshi backgrounds because of these communities' younger age profiles, higher unemployment levels, and their use of those training schemes offering English language training.

Following an EOC Formal Investigation into Publicly Funded Vocational Training Schemes in 1992, the equality of opportunity provision in the TEC contract has been reinforced to allow for more flexible and part-time training for women returners and more positive action training to break down job segregation.

Starting in 1994 TECs are now required to set out an equal opportunities strategy together with a plan for implementation and assessing achievement. TECs must also include how they will monitor their training providers' delivery of equal opportunities. Secondly, TECs will be required to set out in their plans the number of female, ethnic minority and disabled participants in both the adult and youth training programmes in 1992/3 and their planned number for 1994/95. Dissemination of good equal opportunity practice is being spread throughout the TEC network by a series of events publicising the results of development work on equal opportunity and special needs issues which, in addition to spreading good practice, is developing a proposal for a national equal opportunities strategy for the network.

In Scotland, the Scottish Enterprise (SE) network policy, which is set and agreed by all LECs, includes an equal opportunities statement and an action plan for implementation. As part of their contract, LECs are required to report quarterly on the number of female, disabled and ethnic minority participants on all training programmes and their job outcomes. Participants on the Business Start-up scheme are categorised and notified in the same way.

C HEALTH AND SAFETY AT WORK

Accidents and hazards in the workplace

The most recent occupational injury figures available show marked differences between the injury rates for employed men and women. In 1992/93, three quarters of both major and over-3-day injuries were also to men. This reflects the pattern of employment where men are more likely to work in higher risk occupations. The proportion of all injuries to women has increased steadily from 18% in 1986/87 to 25% in 1992/93. This increase is due mainly to an increase in the proportion of over-3-day injuries to women.

There is a noticeable difference between patterns of injuries by age for men and women. For men, the highest number of injuries occur to those in their 20s, for women the highest number occurs to those in their 50s, which is linked to a rise in the rate of slipping and falling accidents. The Health and Safety Executive has commissioned research to identify the types and causes of injury to older women at work, and the extent to which ill-health or physiology may be causes.

11.7 Injury rates per 100,000 employees by sex or injured person and severity of injury 1988/89 - 1993/94

		1988/89	1989/90	1990/91	1991/92	1992/93	1993/94
Fatal	Men	4.3	3.0	2.7	2.6	2.4	2.1
	Women	**	0.1	**	0.2	0.1	
Non-fatal major	Men	132.4	133.5	126.4	120.2	115.2	110.4
	Women	40.5	42.4	44.4	54.2	41.2	42.0
Over-3-day	Men	1,083.3	1,099.4	1,060.1	1,018.1	967.6	906.9
	Women	293.1	317.2	318.5	330.4	326.8	314.0

Source: Health and Safety Commission 1993/4 Annual Report

** *less than 0.05*

There are very few workplace risks that are particular to women. However, subjects relevant to women's health and safety at work include the effects of work on new and expectant mothers; the operation and position of supermarket checkouts which can create musculoskeletal pain for cashiers; contact dermatitis for florists and hairdressers; and, particularly in the health service, biological agents. The Health and Safety Executive has considered all these areas and where appropriate provided further advice to employers to protect their employees.

Protective measures

In Great Britain, the main piece of health and safety legislation is the Health and Safety at Work Act 1974. In Northern Ireland, the equivalent legislation is the Health and Safety at Work (NI) Order 1978. It places a duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare of all their employees. In general, health and safety legislation in the United Kingdom does not discriminate on the grounds of sex, because there are very few workplace risks which are particular to women; most risks affect men and women equally.

There are, however, some workplace risks that would affect the health of an unborn child, particularly lead and ionising radiations. Regulations have therefore been introduced in both of those areas which set lower dose limits for pregnant women and for women of reproductive capacity.

Under the Control of Lead at Work Regulations 1980 and their Northern Ireland equivalents, workers significantly exposed to lead have their blood lead levels measured and, where this exceeds a specified level, then the worker is normally suspended. For women of reproductive capacity, the suspension level is about half the equivalent level for men. Additionally, when a woman becomes pregnant, she must notify her employer and she would, for the time being, no longer have to work with lead. The Lead at Work Regulations are being reviewed to ensure that, in the light of scientific and technological developments, the regulations are still appropriate and provide appropriate protection to all, including women. Furthermore, some old legislation prohibits the employment of women in certain manufacturing processes where they may be exposed to lead or its compounds. The Health and Safety Commission is reviewing this legislation to see whether it is still needed.

The other areas where special controls exist to protect women of reproductive capacity is working with radiation. The Ionising Radiations Regulations 1985 and their Northern Ireland equivalents set a three-monthly abdominal dose limit. This has the effect of spreading the dose rate more evenly throughout the year than the annual whole-body dose limits set for other workers - an important consideration in the early stages before a pregnancy is confirmed. For pregnant women, a specific abdominal dose limit is set during the declared term of pregnancy.

The health and safety provisions of the EC Directive on Pregnant Workers have been implemented in the United Kingdom. These require employers to include, in their overall risk assessment of their workplace, any risks that could damage the health or safety of pregnant workers, those who have recently given birth, and those who are breastfeeding. Employers are also required by the new Regulations to ensure that these workers are not exposed to any risks that could damage their health or safety, or that of their children.

Other initiatives concerning reproductive health risks to female workers include:

research to examine the health risk to women in the drycleaning industry from exposure to perchloroethylene;

research into the health risks to women working on semiconductor manufacturing;

new regulations to replace the present chemical hazard classification "teratogenic" with a new classification "toxic for reproduction"; also to introduce a new risk phrase "may cause harm to breastfed babies".

Also being brought forward are revised Work in Compressed Air Regulations, which will have the effect of pronibiting pregnant women from working in compressed air.

D WOMEN MIGRANT WORKERS

Overseas nationals (other than European Economic Area (EEA) nationals and Commonwealth citizens who have a grandparent born in the UK), who want to work in the UK must obtain a work permit before setting out. The work permit system was described in previous reports. Women now form between 18% and 20% of those admitted under work permits or accepted for settlement as a work permit holder. As long as a migrant worker is lawfully present in the UK, then they are protected by current UK legislation.

11.8 Work permit admissions to the UK for men and women: 1993

NUMBER AND PER CENT

	Men	Women	Total
12 months or more	7,600 *(81%)*	1,750 *(19%)*	9,350 *(100%)*
Less than 12 months and trainees	19,500 *(80%)*	5,020 *(20%)*	24,520 *(100%)*

Source: Home Office Research and Statistics Department

The difference between women and men among EEA nationals (who do not require work permits) entering the UK to take up paid employment is not as marked. However, as women become increasingly represented in professions and highly skilled occupations throughout the world the proportion of women work permit holders may increase.

11.9 Settlement - Men and Women accepted as permit holders in the UK: 1993

NUMBER AND PER CENT

	Men	Women	Total
1989	1,480 *(81%)*	350 *(19%)*	1,820 *(100%)*
1993	2,280 *(76%)*	730 *(24%)*	3,010 *(100%)*

Source: Home Office Research and Statistics Department

The criteria for granting work permits apply equally to men and women. Female permit holders made up 24% of the total number accepted for settlement in 1993 as opposed to 19% in 1989. The Government will continue to monitor trends in this area.

Overseas Domestic Workers

There are special arrangements under the Immigration Rules that enable domestic workers who are already working for an employer abroad to come to the UK with that employer. It is estimated that at least 20,000 domestic workers entered the UK between January 1992 and August 1993 although exact numbers are not available. It is likely that the majority are female.

Domestic servants are entitled to the full protection of the law and the Government is concerned that no domestic servants should be unaware of their rights in the UK or where to get help. Tighter criteria for these arrangements were introduced in 1991 to reduce the scope for their abuse, and these were further strengthened in 1994. They may be allowed to change employer by the Home Office in certain cases where there are exceptional circumstances of a compassionate nature, but decisions are taken on a case-by-case basis.

All domestic workers must now be at least 18 years old and must obtain entry clearance abroad in their own right before travelling to the United Kingdom. Each must attend an interview at a British Diplomatic Mission for entry clearance. As part of the procedure the employer must complete and sign an undertaking to provide adequate maintenance and accommodation including a separate bedroom for the domestic worker. The employer must also set out the main terms and conditions of the employment in the United Kingdom, a copy of which is given to the worker who must agree to them. The employer must further confirm that he has read and understood the leaflet which explains the worker's rights and sources of help and advice. The leaflet is available in several languages.

Refugees

Women granted asylum in the United Kingdom are entitled to work, and to undertake training, and have the same rights to access opportunities as United Kingdom residents. Ethnic minority women have the same entitlement to statutory services as their white counterparts.

The Refugee Council - the main umbrella non-governmental organisation representing the interests of refugees - runs a community development programme giving advice and assistance to refugee community groups throughout London covering a range of issues relating to refugees' access to statutory services such as employment training, housing, welfare benefits, and health care. It works with community groups and also acts as a link between groups and statutory and voluntary agencies involved in the provision of statutory services. Refugee Action, which has run a community development programme for Vietnamese refugees for some years, is now expanding its programme outside London to cover all nationalities. Regional councils in various parts of the country are running similar programmes in their areas.

The Government recognises that refugees have more difficulty than the indigenous population in accessing services, and provides funding to refugee voluntary organisations who advise and assist individual refugee communities to set up self-help projects. The voluntary organisations are aware that refugee women, often due to cultural differences and domestic pressures, have fewer opportunities to work or study than men, and are promoting the setting up of women's groups to provide mutual support for refugee women. Despite these difficulties, it is noted that a sizeable proportion of women are active participants in refugee voluntary organisations and community groups. The Government provides funds to specific national and regional voluntary organisations working with individual refugees and refugee communities. Women refugees are beneficiaries of the support given by these organisations.

E THE SOCIAL WELFARE SYSTEM

The UK Social Security System

The social security system aims to focus help on the most vulnerable elements of society regardless of gender, whilst providing incentives for the unemployed to move from dependency on the state to economic independence. It operates under a framework of law which, in general, makes no distinction of gender. However, women's different employment patterns, earnings levels, likelihood of caring responsibilities and greater life expectancy mean that their experience of the social security system can differ from men's. The social security system in the UK recognises this fact and includes specific provisions aimed at women. These include the payment of child and family benefits to the mother in two parent families, since she is usually the parent with closest day-to-day responsibility for the child. The range of benefits available to UK workers is also available to migrant workers who fulfil the normal conditions of entitlement and where necessary whose immigration status is such that they are not prevented from claiming public funds.

State Pensions

The position on state pensions and Home Responsibilities Protection is now in the process of change. The state pension still remains the most important source of post-retirement income for women: around 20% of women and 90% of men currently have underlying entitlement to a full Category A Retirement Pension on reaching state pension age.

There are a number of reasons for the disparity between women and men earning a full pension. One important reason is that until 1977 married women who worked were given the choice of whether to pay full-rate contributions and receive a pension in their own right, or to pay reduced-rate contributions which do not count for any contributory benefit. In 1977, 60% of women had elected to pay contributions at the reduced rate. However, with the abolition of the married women's reduced rate in 1977 and the introduction in 1978 of Home Responsibilities Protection, which protects the retirement pension of people who are bringing up a child or a staying at home to care for a sick or disabled person, it is estimated that by 2010, the majority of women will have some pension entitlement in their own right.

The Lower Earnings Limit (LEL) at which employees, and their employers, become liable to pay National Insurance Contributions (NICs) is £57 a week for the 1994/95 tax year (the proposed level for 1995/96 is £58 a week). The LEL is statutorily linked to the rate of the basic Retirement Pension. This provision ensures that people cannot earn entitlement to a pension which is higher than their normal earnings during their working life. At present, about 3 million people in employment in any week earn less than the LEL (2.2 million women and 0.8 million men) though they can choose to pay voluntary NICs to earn entitlement to a Retirement Pension and Widow's Benefits. In addition, many of these 2.2 million women will be eligible for Home Responsibilities Protection.

In June 1991 the Government declared its commitment to equalise state pension age for men and women. The present state pension age of 60 was introduced for women in 1940; prior to that the state pension age was 65 for both men and women. A consultation document "Options for Equality in State Pension Age" was published in December 1991. This document set out the Government's reasons for moving towards equality now and gave details of various options for equalisation. These options ranged from equalisation at ages 60, 63, or 65 to various types of flexible schemes. Over 4,000 responses to the consultation document were received from a wide range of interested bodies and individuals.

In November 1993 the Government announced that it would equalise state pension age at 65. A White Paper "Equality in State Pension Age" was published. In it the Government explained why it had chosen 65. Important factors were that people are living longer, expenditure on state pensions is set to double between now and 2030, occupational schemes are predominantly equalising at 65, and the number of pensioners is set to increase at the same time as the number of young people entering the working population is set to fall. The changes will be phased in over ten years starting in April 2010, which means that no woman aged 44 or over at the time of the publication of the White Paper will be affected.

The equalisation of state pension age will be accompanied by a number of other improvements to the state pension scheme. These changes will:

- ensure that married couples are treated equally irrespective of the sex of the older partner;
- build on existing flexibility by offering more attractive terms to those who wish to defer drawing their pension;
- provide help in building a full pension record to those who have caring responsibilities at home and to families and disabled people.

Occupational Pensions

The Government has encouraged the development of occupational and personal pensions so that both men and women are increasingly able to supplement their basic pensions from employers or other providers. In 1979, 16% of women had occupational pensions in their own right. This proportion had increased to 34% in 1990/91.

Women's average occupational pensions which they were currently receiving were much lower than men's - £30 per week, compared with £61 for men - reflecting among other things the different work patterns of some women. Some inequalities in occupational and personal pensions remain because actuarial factors are used to calculate benefits and women have a longer life expectancy; however, the European Court of Justice has ruled that this practice is justified.

The European Court has established that Article 119 of the EC Treaty covers the right to join an occupational pension scheme. This means that there must be equality between women and men in the contributions they make to and benefits they receive from occupational pension schemes in respect of all service after 17 May 1990. The European Court of Justice also held that the exclusion of women working part-time from occupational schemes may be discriminatory, if the exclusion affects women in greater numbers, and the employer is unable to justify the exclusion on material grounds other than sex. On 21 May 1995, amending regulations came into force which have the effect of prohibiting sex discrimination against part-time workers. The provisions of the Pensions Bill 1995, due to come into force by autumn 1995, make further changes to bring domestic law into line with recent rulings of the European Court of Justice.

Pensions on Divorce

Courts can offset pension rights against capital assets in divorce settlements but are generally unable to order the division of the rights. The issue of pensions on divorce is however a very complex one and any changes would have significant implications for pensions schemes. At present, there is a lack of quantitative evidence on the extent of any problems with the present arrangements. Research is being carried out into the nature and extent of any problem and the issue will be considered further in light of the research.

A project has been commissioned by the Government from Social and Community Planning Research, an independent research company, to look at women's pension provision in the UK, particularly highlighting occupational pensions on divorce. The study will cover Scotland separately as the legal position there is slightly different from England and Wales. The project will involve interviews with 2,500 women, including a booster sample of 500 recent divorcees; 400 husbands or married women in the sample; and a sample of solicitors to obtain information on 900 recent divorce cases.

The courts can currently take account of pension rights on divorce, either by offsetting the rights against any capital assets or by including payments from a pension in awards of deferred maintenance. However, it is not generally possible for the courts to order the actual division of pension rights. The Government is supporting House of Lords' amendments to the Matrimonial Causes Act 1973 in the 1995 Pensions Bill. These intend to emphasise the courts' powers to take account of pension rights when making financial provision on divorce and to give the courts powers to order pension schemes to pay deferred maintenance from the pension in payment direct to an ex-spouse. The Government has also commissioned an independent research institute to examine the current treatment of occupational pensions on divorce.

Unemployment Benefit

The payment of Unemployment Benefit depends on a person's recent National Insurance contributions record and the satisfaction of certain conditions. They must show that they are capable of, available for and actively seeking employment. This means that they must be prepared to accept readily any offer of employment and, each week, take reasonable steps to find work. There is no difference in the treatment of women in the provision of unemployment benefit. However, where married women have elected to pay the reduced contribution they will not be entitled to receive contributory benefits such as Unemployment Benefit. Those who work part-time with earnings below the Lower Earnings Level are excluded from Unemployment Benefit.

Widows' Benefits

Women may in prescribed circumstances receive widow's benefits. Entitlement is based on the contributions paid by their deceased husbands. At March 1994, some 318,000 women under minimum retirement age were in receipt of widow's benefits. A further 1.9 million widows over minimum retirement age receive retirement pensions with entitlement derived from their husbands' contributions.

Benefits for Mothers

Child Benefit, which is normally paid to the mother, continues to be the main benefit for families with children. Since the introduction of a higher rate for the eldest child in 1991 both rates have been uprated each year in line with prices. This means that from April 1995 mothers will be receiving £10.40 for their eldest child and £8.45 for each other

A number of benefits are available for women who work but have low incomes. Family Credit is designed to enable families with children to compete in the labour market by topping up low wages to ensure they are better off in work than out of work at almost all levels of earnings. It is payable to low income working families with children where one partner works at least 16 hours a week, and is related to both the income and the age and number of children. In two parent families this benefit is paid to the mother.

Since October 1994, families claiming Family Credit have been able to offset up to £40 a week of childcare costs against earnings. There have been extensive advertising campaigns to improve awareness of Family Credit, including television campaigns and an estimated 150,000 families are expected to benefit from this new measure, including 50,000 families who are expected to take up work as a direct result of this change.

Other benefits for low income workers include Housing Benefit which helps towards the cost of rent and Council Tax Benefit which helps towards the cost of local taxes. These benefits include special provisions for lone parents, the majority of whom are women. Lone parents receive a Lone Parent Premium, which is higher than the corresponding premium in Income Support, in addition to a Family Premium. There is a £25 per week earnings disregard and a £15 per week maintenance disregard. A childcare disregard of £40 per week, introduced in October 1994, is designed to be of particular help to working lone parents. There are also schemes for providing help on the grounds of low income with the cost of spectacles and national health service charges for prescriptions and dental treatment.

There are particular features in the benefits system which help address the extra difficulties faced by women bringing up children on their own, and in particular those wishing to take up employment. In Family Credit, lone parents receive the same adult credit as a couple, and the first £15 of child maintenance payments is disregarded.

Income Support is a non-contributory benefit which offers help to people whose resources are below prescribed levels. Unlike Family Credit, Income Support is not payable where the claimant or partner works 16 hours or more a week. Families receive a Family Premium and there is a part-time earnings disregard of £5 per member of the couple. Lone parents receive a Lone Parent premium in addition to a Family premium and there is a part-time earnings disregard of £15 a week, £10 higher than the disregard applicable to most groups of benefit recipients. The number of lone parents in the UK who receive Income Support, the vast majority of whom are women, totals 1,034,600. Family Credit helps some 216,280 female lone parents supplement their earnings.

One Parent Benefit is paid as an addition to Child Benefit to anyone who is bringing up a child on their own. Like Child Benefit, it is non-contributory and paid irrespective of income. It is currently helping nearly one million families and the vast majority of recipients are women. One Parent Benefit brings in an extra £6.15 a week tax free and this will increase in line with prices to £6.30 a week from April 1995. Guardians Allowance is payable to anyone who is bringing up an orphan or a child who, to all intents and purposes, is in the same position as an orphan. In 1993 the Government removed the overlap which existed between One Parent Benefit and Guardians Allowance. This meant that from 1993 a lone parent who took in an orphan who became the elder or eldest child in her family would no longer lose her One Parent Benefit if she was awarded Guardians Allowance

Childcare

The Government's policy on day care services for young children is based on variety and parental choice with the state being responsible for legislation to ensure acceptable standards of service and general guidance on good practice and standards. State funding is targeted on children with difficulties and certain low income parents who wish to go out to work.

The amount of day care has continued to expand, led by the private and voluntary sectors - from 126,135 places in 1983 with day nurseries and registered childminders, the main forms of childcare available for working parents, to 429,900 such places in 1993. In addition to day care, the Prime Minister announced in October 1994 a commitment to provide a pre-school place for every 4 year old whose parents want it - currently just under one third of 3 year olds and nearly three quarters of 4 year olds attend some form of pre-primary school education. The Department for Education set up a Task Force to draw up detailed proposals.

11.10 Day Care Services: Number of Premises and Individuals and Places in England

Year	Day Nurseries*	Registered Childminder	Registered Playgroups (sessional services)	Out of School Clubs*	Holiday Playschemes*
Centres/ Individuals					
1983	1,442	46,782	15,653	n/a	n/a
1993	4,500[1]	85,700	17,000	950[2]	1,700[3]
Places					
1983	21,889[4]	104,246	379,488	n/a	n/a
1993	133,800[5]	296,100	394,400	24,600[6]	80,500[7]

Source: Department of Health

- ** Includes local authority run services and registered services*

[1] Registered day nurseries accounted for 3,900 premises.

[2] 250 clubs run by local authorities,250 not required to register and 450 registered

[3] 250 schemes run by local authorities,90 not required to register and 1300 registered

[4] 28,000 places in local authority nurseries and 22,000 in registered services

[5] Registered nurseries accounted for 111,000 places.

[6] Registered clubs accounted for 14,000 places.

[7] Registered schemes accounted for 59,100 places.

As a result of a survey of a sample of parents in England with children aged under 8 the UK has better information about how day care services are used. The Government published "Day Care Services for Children: A Survey carried out on behalf of the Department of Health in 1990" in August 1994 together with a summary of the report prepared by the Department of Health. The significant findings from the survey were:

- use of services was linked with age with the percentage increasing from 52% of under 1 year olds to 97% of 4 year olds;
- the mother's working status affected usage with 92% of working mothers using a service compared to 66% of non-working mothers;
- there was a high level of satisfaction with the services provided and this was highest amongst mothers of children attending nursery schools and classes.

The Government is currently running two programmes to pump-prime expansion of day care services for school age children. In April 1993 the Government launched an Out of School Childcare Grant. The overall aim is to offer parents of school age children the chance to participate more fully in the labour market, by increasing the quantity and quality of out of school childcare provision. £45 million is being channelled through TECs and LECs with the aim of creating some 50,000 new after-school and holiday places for the over 5s. 1993-94 is a development year with some 40 selected English TECs plus some Welsh TECs and Scottish LECs participating. Funding will be made available to all TECs/LECs from 1994/5. Progress has been steady: by September 1994, 12,800 places had been created and a further 9,000 in development. Consideration is being given to setting up a similar programme in Northern Ireland.

The Department of Health's Out of School Initiative, which involves the voluntary sector, started towards the end of 1990/91. Under this initiative, 12 development officers have been appointed to facilitate expansion in different parts of England. Two projects are concentrating on children with disabilities and two on services for families living in rural areas. The initiative is being evaluated by the University of Sussex. This initiative follows on the Under Fives Initiative mentioned in the UK's 1991 Report to CEDAW, whose final evaluation report is still awaited.

The Department of Health is also running an initiative to test how parents,especially single parents, can create their own support networks and co-operate over childcare arrangements. The results will be disseminated during 1995.

The Government continues to support the voluntary sector through a programme of grant aid, in order to help national voluntary organisations in their work with local groups directly providing services for children and their parents. In 1994/95 the amount of grant aid totalled £1.2 million.

The Children Act 1989 gives local authorities a general duty to provide day care for children in need and parents in receipt of social security benefits cannot be charged for the service. Financial returns submitted to the Government show that local authorities recover very little of the costs of providing day care for such children from the parents. In October 1994 the Government introduced its Childcare Disregard for working parents claiming in-work social security benefits. Under this scheme parents using registered forms of day care for children aged under 11 can have a certain amount of the cost taken into account in the assessment of the entitlement to benefit. In Northern Ireland, the Children (Northern Ireland) Order 1995 will bring the legislative position in Northern Ireland broadly into line with England and Wales when it is brought into operation. The Childcare Disregard will be introduced in Northern Ireland from October 1995.

The Children Act 1989 came into force in October 1991 and its operation has been the subject of two reports to Parliament:

- the "Children Act Report 1992" (Cmnd 2144 February 1993) said that the new legislation had produced tangible gains in the first year. Local authorities' work with children with difficulties had concentrated more on helping the family stay together and there were fewer children being cared for on a compulsory basis by local authorities. In the case of day care services for children aged under 8,the Government reported that some local authorities, in the discharge of the duty to regulate private and voluntary provision,were being over rigid in their application of the guidance on standards which could have inhibited further expansion of services. Further guidance was issued in January 1993 to remind local authorities to strike the right balance between ensuring acceptable standards and encouraging expansion;
- in "The Children Act Report 1993" (Cmnd 2484 May 1994) the Government was able to report that local authorities were using the legislation more flexibly to regulate services but that the published reports about this service were typically not accessible to the general reader.

Eldercare

There are estimated to be around 4 million women (and 3 million men) taking substantial responsibility for the care of an elderly, infirm or disabled person. 13% of all carers are women who are aged over 65. Overall 17% of women and 13% of men aged over 16 are carers, with the peak age for caring ages 45 to 64 years. Among this age group a fifth of men and over a quarter of women were carers. The time spent caring appears to be related to whether or not the dependent is in the same household. Two thirds of carers looking after someone at the same address spent 20 hours or more a week caring. Where the dependant was at a different address, less than one in ten spent this amount of time. Overall, almost a quarter of carers spent 20 hours or more a week looking after someone; while one in ten devoted at least 50 hours a week.

11.11 Carers: by relationship with dependant 1990

Great Britain PER CENT

	In the same household	In another private household	All
Dependant			
Parent	23	39	35
Friend/Neighbour	2	25	19
Other relative	10	20	18
Parent-in-law	6	15	13
Spouse	41	0	10
Child over 16	10	10	3
Child under 16	8	0	2
All carers (=100%) (millions)	1.6	5.2	6.8

Source: Office of Population Censuses and Surveys

In part due to their greater longevity women are also the largest group of users of Community Care. Community Care reforms introduced in 1993 constitute a radical change in care provision. One of the aims was to move away from a residentially based pattern of care to one which enables people who need some help to live in the community where possible. Practical support for carers became a priority for social services, who must consult carers' representatives in preparing area plans for community care. The Carers (Recognition and Services) Bill gives carers the right to an assessment of their own needs and requires local authorities to take into account the results of that assessment when determining what services shall be provided to the people being cared for. This Bill continues to receive Government support. The recently published Framework for Local Community Care Charters seeks to encourage the involvement of carers and service users in the development of local charters reflecting priorities and concerns.

Invalid Care Allowance is a benefit specifically for carers of normal working age who forgo the opportunity of full-time work to care for a severely disabled person for at least 35 hours a week. The number of recipients has grown from 5,000 in 1978/79 to 250,000, of whom around 75% are women, with spending increased from £4 million a year to £430 million a year. Following two European Court of Justice decisions, the Government extended Invalid Care Allowance to married and cohabiting women, and also equalised the age limits for claiming for men and women. Carers may earn up to £50 a week, after expenses, without affecting entitlement. Invalid Care Allowance is not intended to be compensation of earnings, but a measure of income maintenance. Carers in receipt of an income-related benefit may receive a Carer Premium. Carers in receipt of Income Support, Housing Benefit and Council Tax Benefit who also have entitlement to the Carer Premium have an enhanced earnings disregard of £15 a week.

The Government has taken active steps to set in place a comprehensive programme of longer term evaluative research to ensure the objectives of Community Care policies are being met. The recently published Community Care Monitoring Report includes an evaluation of local authorities' progress following the implementation of the reforms. Although the report is based on self-evaluation, local authorities recognise their weaknesses as well as the progress that has been made. However, most authorities are confident that they are making progress in their support for carers, which includes additional respite care, provision of information and other practical support. Following the implementation of the reforms, 67% of local authorities feel they are performing a little better, and 30% much better, in their support to carers.

There have been calls for further recognition of carers' needs under the new Community Care arrangements and an expansion of elder care support as a result of the ageing population. The Government fully recognises the important role played by carers, and the often arduous work involved in caring for a dependent relative or friend. In 1994/5 the Government provided £4.6 billion for community care increasing to £5.1 billion in 1995/6. This includes £20 million (£30 million in 1995/6) to help develop home and respite care. This will particularly benefit older people who wish to remain in their own homes and lone carers who need to take a break.

ARTICLE 12
WOMEN'S HEALTH

1. *States Parties shall take all appropriate measures to eliminate discrimination against women in the field of healthcare in order to ensure, on a basis of equality of men and women, access to healthcare service, including those related to family planning.*
2. *Notwithstanding the provisions of paragraph 1 of the article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.*

A RECENT HEALTH REFORMS

The National Health Service (NHS) and its operations were described in previous reports by the United Kingdom. It has undergone major organisational change over the last two or three years, but its fundamental objective of providing a comprehensive range of services to all UK residents regardless of sex, race or age, mostly free of charge, remains unchanged.

A central aim of Health Service reforms was to increase its responsiveness to the user and ensure that health facilities available reflected the local population's needs. The previous report included information abut General Practitioner Contracts, which allow for payments to General Practitioners (GPs) for their provision of preventative health measures such as cervical screening clinics. Health Authorities are charged with assessing the health needs of their local population and delivering services according to their needs. Recent guidance for all managers of NHS and local authority mental health services drew attention to the need to purchase services which take account of the particular concerns of women. These include the provision of childcare facilities at day centres and outpatient clinics and the choice of a female professional.

Other developments such as the introduction of "The Patient's Charter" (April 1992, revised and updated January 1995) also aim to empower patients and ensure that they have access to appropriate high quality services. The Patient's Charter seeks to make services responsive to the needs and wishes of patients. It sets out rights and standards of services which patients can expect to receive from the National Health Service, including the right to be referred to a consultant acceptable to the patient and a standard of respect for the privacy, dignity and religious and cultural beliefs of patients at all times and in all places.

In 1992, the Government, in its publication "The Health of the Nation", set priorities and targets for health in England. These have been widely welcomed by women's organisations and others as they provide the first comprehensive long-term strategy for preventing premature death and avoidable ill health and promoting good health and well-being. Annual surveys of the nation's health have been carried out since 1991 throughout each part of the UK. Particular emphasis has been given to coronary heart disease and the associated risk factors.

The strategy identifies five key areas - coronary heart disease and strokes; cancers; mental health, HIV/AIDS and sexual health; and accidents - and for each area sets out objectives, specific targets, including risk factor reduction targets, and action needed to achieve the targets. For example, one of the targets is to reduce the proportion of women drinking more than 14 units of alcohol a week from 11% in 1990 to 7% in 2005. Another is to halve the year on year increase in the incidence of skin cancer by 2005.

Preventative Health Services

Programmes are planned and delivered in partnership between the Department of Health other agencies and delivered in a variety of settings to reach women. In addition, health education programmes also take into account the important influence women have in changing the behaviour of men and children, for example, in healthy eating and prevention of accidents. In 1991, a free booklet was published on "Your health - a guide to services for women", including family planning and maternity services, advice on common problems such as thrush and cystitis, and suggestions on a healthy lifestyle. It has gone into several reprints and a second edition was produced in 1993.

B WOMEN'S HEALTH INDICATORS

Life expectancy at birth in the UK has continued to increase for both men and women and on average women can expect to live until 79 years. Between 1985 and 1992 the total number of female deaths fell by 4% and male deaths by 7%. The single main cause of death is heart disease which accounted for about a quarter of deaths in the UK in 1992. Cancers account for about one in four deaths (1989 figure); amongst women over the age of 35, their rising lung cancer mortality, still evident at older ages, and their slightly higher prevalence of skin cancer, are both notable. Mortality in Scotland from cancer, heart attacks and strokes is higher than in the rest of the UK. "Scotland's Health - A Challenge to Us All" therefore identifies coronary heart disease, and cancers as well as HIV/AIDS, accidents and dental and oral health as priority areas on which forward action to improve Scotland's health will be focused.

12.1 Selected Causes of Death in the UK: by sex 1985 and 1992

PER CENT

	1985: % of all female deaths	1992: % of all female deaths	1985: % of all all male deaths	1992: % of all male deaths
Coronary heart disease	24.2	23.4	31.5	29.3
Stroke	15.4	14.6	9.5	9.2
Breast cancer	4.4	4.7	-	-
Cervical cancer	0.6	0.6	-	-
Lung cancer	3.3	3.9	8.9	8.4
Malignant melanoma	0.2	0.2	0.2	0.2
Other skin cancer	0.1	0.1	0.1	0.1
Accident	1.9	1.6	2.5	2.3
Suicide	0.7	0.6	1.4	1.7

Source: Office of Population, Censuses and Surveys

A study completed in 1992 recorded the main reasons for patients' consultation of GPs. Table 12.2 shows some of the results from this study expressed as the number who consulted at least once during the year per 10,000 population. Both males and females were more likely to go to the doctor for respiratory problems than any other reason. Among those diseases confined to females, rates of 30 per 10,000 were reported for breast cancer and 3 per 10,000 for cervical cancer. Females were also far more likely than males to consult a doctor for stress-related disorders; for obesity (measured by body mass women are very slightly more inclined that men to be obese); and for dermatitis and eczema.

12.2 Patients consulting GPs: by gender and selected disease or condition, 1991/2

ENGLAND AND WALES — RATES PER 10,000PEOPLE AT RISK

	Males	Females	All persons
Dermatitis and eczema	636	879	760
Asthma	429	422	425
Hypertension	357	479	419
Neurotic disorders	202	481	344
Ischaemic heart disease	204	137	170
Normal pregnancy	-	287	147
Migraine	58	169	115
Diabetes	119	102	111
Obesity	38	125	82
Cerebrovascular disease	64	68	66
Acute reaction to stress	18	35	26
Drug dependency	19	19	19
Breast cancer	-	30	15
Alcohol dependence	20	6	13
Lung cancer	9	5	7
Malignant melanoma of the skin	2	3	2
All diseases and conditions	6,999	8,575	7,803

Source: Office of Population, Censuses and Surveys

Heart Disease

Although heart disease is more prevalent among men, particularly in younger age groups, it is nonetheless the major cause of mortality among women. The highest death rates for heart disease for both men and women occur in the northern parts of England, Scotland and Northern Ireland. Prevention plays a significant part in reducing cardiovascular disease and "Health of the Nation" targets have been set for reductions in the risk factors - smoking, alcohol, diet and blood pressure.

Concern has recently been expressed about the presentation of the disease as a male problem and that health education and treatment reinforce this stereotype. As far as prevention is concerned the national "Look After Your Heart" programme has been reviewed under the "The Health of the Nation" and one strategic shift has been in giving greater recognition to the burden of the disease on women. The National Forum for Coronary Heart Disease Prevention has just published a report "Coronary heart disease: Are women special?" which makes a number of recommendations about health education, research and risk assessment, investigation, treatment and rehabilitation, as well as the training of professionals. The Department of Health has welcomed the report and its effect in highlighting these issues.

Breast Cancer

Breast cancer is the leading cause of death from cancer in women over the age of 35 in

27,000 women contract the disease and nearly 16,000 women will die from it. The "Health of the Nation" target is to reduce deaths from breast cancer among all women by a quarter by the year 2000, from 95.1 per 100,000 women to no more than 71.3 per 100,000.

Begun in 1987, the breast cancer screening programme has been fully operational since 1990. All women aged 50-64 are invited to mammography screening every three years and women aged 65 and over three yearly on request. In 1992-3 more than 1.6 million women were invited for screening, a third of all women aged 50 to 64 in the UK. The uptake rate was 71%, but varied around the country from 60% in the North East Thames Regional Health Authority to 79% in the East Anglia Regional Health Authority, reflecting the lower response to health promotion activities in urban areas than in rural areas. Current take-up of invitation and recall, biopsy and detection are being closely monitored against target standards. It is estimated that this regular screening will lead to the saving of 1,250 lives a year.

The Department of Health is committed to maximising the effectiveness of breast cancer screening and is funding, with cancer research charities, four studies to examine:

- the effectiveness of screening women annually from age 40;
- the effects of screening women over 50 more frequently than the current 3 years;
- the effect of taking 2 x-ray views of each breast of women screened (rather than 1 of each breast at present)
- alternative methods of tracing some of the very small cancers detected on screening.

The Advisory Committee on Breast Cancer Screening, a multi-disciplinary expert group, reviews evidence and findings and makes recommendations to Government regarding screening policy.

Cervical Cancer

Cancer of the cervix is a common gynaecological cancer occurring worldwide. Mortality from cervical cancer in the UK is decreasing with deaths from the disease falling from 2017 in 1981 to 1639 in 1992, that is a decline in mortality rate from 79% to 62%. The cervical cancer screening programme, which began in 1988, aims to identify and treat abnormal cells before they become cancerous. Most cervical screening is undertaken in general practitioner (GP) surgeries and a system of target payments was introduced in 1990 for GPs who screen women aged 20-64 (20-60 in Scotland) on their practice lists. Women aged 65 and over are invited to be screened if they have not had 2 clear smears within the previous 10 years.

The programme is on course to increase the number of women screened. Overall screening coverage continues to increase; in 1993/94, over 84% of the target population of women aged 20 to 64 were screened in the previous 5.5 years compared to 74% in 1990/91. The first full round of screening finished in March 1993 but it is too early to judge whether screening itself will contribute to a reduction in incidence of the disease. Uptake of screening invitations and follow-up tests are being closely monitored.

Health Authorities are mounting publicity campaigns and taking other initiatives to improve take up, particularly in metropolitan areas where there has tended to be a lower take-up of both breast and cervical screening. Awareness campaigns aim to encourage take-up by ethnic minority women and women from the transient population. In May 1994 the Department of Health published the work of an expert group on cancer set up by the Chief Medical Officer in the Department of Health. The consultative report sets out a policy framework for commissioning cancer services with the aim of improving the medical response nationwide. It recommends that patients with cancer are seen by an appropriately trained multi-disciplinary team; and that patients with cancer should receive easily understandable information on treatment options and be offered a choice of treatment when appropriate. The report recommends that the structure for cancer services should be based on a network of expertise in cancer care reaching from primary care - through cancer units in district hospitals - to cancer centres, to ensure the benefits of specialised care are available to all cancer patients. The choice of treatment required in individual cases is a matter for the clinician in consultation with the patient, who would then be referred promptly to a cancer unit.

Smoking

The prevalence of smoking among women was less than among men in 1990 but 1992 figures for England indicate that there is now very little difference in prevalence amongst men and women - 28% for women and 29% for men. This compares with a prevalence in 1974 of 40% of women and 51% of men, showing the decline in men smoking since that time as greater than that for women. A "Health of the Nation" target aims to reduce the prevalence of smoking cigarettes among women aged 16 and over to no more than 20% by the year 2000. The 1993 survey of schoolchildren shows 11% of girls and 8% of boys smoking regularly. Among 15 year-olds, 26% of girls and 19% of boys were regular smokers.

Scottish women have the world's highest mortality rate from lung cancer. Over 80% of these cases are caused by smoking. "Scotland's Health - A Challenge to Us All" contains a range of initiatives relating to smoking. The target is a decline in smoking to 21% of the population in the age range 12-24 (from 30% in 1986 and 32% in the age range 25-65 (from 40% in 1986) by the year 2000. Current anti-smoking health education campaigns are focusing on the young, and on young women in particular.

12.3 Cigarette smoking[1]: by gender and socio-economic group

Great Britain

PER CENT

	1972	1982	1992
Males			
Professional	33	20	14
Employers and managers	44	29	23
Intermediate and junior non-manual	45	30	25
Skilled manual	57	42	34
Semi-skilled manual	57	47	39
Unskilled manual	64	49	42
All aged 16 and over	52	38	29
Females			
Professional	33	21	13
Employers and managers	38	29	21
Intermediate and junior non-manual	38	30	27
Skilled manual	47	39	31
Semi-skilled manual	42	36	35
Unskilled manual	42	41	35
All aged 16 and over	41	33	28

Source: Office of Population Censuses and Surveys

In February 1994 the Department of Health published its Action Plan "Smoke Free for Health" which sets out a comprehensive strategy to achieve the "Health of the Nation" targets by reducing both smoking prevalence and the consumption of tobacco by those who cannot stop. The Government has recently announced a £12 million, three year programme of anti-smoking education which is expected to begin later in 1994. In May 1994 the existing voluntary agreement with the tobacco industry was strengthened as there is particular concern about the children's exposure to tobacco advertising. The National Smoking Education Campaign was launched on 29 December 1994.

Alcohol and Drugs

Women are less likely to drink excessively than men, with the figures from 1984 indicating that the proportion of women across all social groups consuming more than 14 units per week, the recommended sensible amount for women, has remained relatively stable at around 11% (in comparison with 27% of men drinking excessively). A sustained proportion of women in socio-economic groups 1 and 2 drink above the sensible levels than in other socio-economic groups. The "Health of the Nation" contains targets for a reduction in the number of women drinking at above the recommended sensible level to about 7% by 2005.

The Government has provided funding of £208,000 in 1994/95 for Drinkline, the national alcohol helpline. This provides information, advice and support for those who are worried about their drinking or about someone else's drinking. Information about callers suggests this service may be of particular value to women. The Government has also funded the publication of a booklet offering advice for those caring for someone with an alcohol problem.

Mortality from drug dependence has increased over the past ten years and while death due to non-dependent drug abuse is three times higher among men than it is among women, it has risen significantly among both sexes. The Department of Health encourages the establishment of locally based services for drug misusers, providing a range of services from detoxification and counselling to after care and rehabilitation. It is recognised that there is a need to attract more women drug users to services and the Department funds projects specifically aimed at women drug misusers, including those who use non-opiate drugs. Latest available data showed that women made up 25% of the 18,000 drug users who took up the services provided by health authorities in the six months to March 1993, with heroin being the main drug used by both men and women. In December 1993, a directory of drug services for women was published and distributed to local authorities, health authorities, and the voluntary sector.

CEDAW Committee General Recommendation 15 calls for the avoidance of discrimination against women in national strategies for the prevention and control of AIDS.

HIV and AIDS

In 1993 there were 1.6 thousand AIDS cases reported in the UK, a rate of 2.8 per 100 thousand, amongst one of the lowest rates in the various countries of the European Union. The number of women infected by HIV-1 in the UK has increased nearly every year between 1986 and 1993 and although the number of women infected with HIV in the UK remains relatively small, it is increasing.

12.4 New Cases of HIV-1 infection in the UK: women and men 1988-1993

Year	Women	Men	Not known	Total
1988	204	1,468	72	1,745
1989	206	1,526	60	1,792
1990	277	1,880	124	2,281
1991	394	2,109	63	2,566
1992	441	1,963	77	2,481
1993	448	1,967	13	2,428

Source: Department of Health

Note: "Not known" includes cases where no sex was stated, mother to baby infection from blood factor or blood/tissue transfer.

The challenge for policy makers is to ensure that the special needs of women are not overlooked, and that appropriate and properly resourced provision for women continues to be made available. The Department of Health's Social Services Inspectorate has issued guidance on women's needs in this area. Some NHS hospitals have set up family clinics for infected women or families with children. This has, for example, helped families with affected or infected children to receive treatment together. Voluntary organisations such as the Naz Project, Blackliners and the London East Aids Network (LEAN), receive government funding to promote awareness of HIV/AIDS among ethnic minority communities.

All schoolchildren in the United Kingdom have the opportunity to learn about HIV and AIDS and other sexually transmitted diseases. Further information about health education in school is considered under Article 10 of this report.

Osteoporosis

Osteoporosis (or "brittle bones") is a disease which causes thinning of the bones, and which mainly affects women after the menopause. It is estimated to affect as many as one women in four and to cost the NHS about £750m a year to treat the fractures that result. In 1994 the Government established an expert group to provide advice on how to make progress in tackling the problem. The group were asked to take a long hard look at what was already known and to suggest what more should be done. They produced a comprehensive and coherent programme aimed at preventing, diagnosing and treating the condition. The group's report and recommendations were accepted and it is the Government's intention that they are implemented.

Mental Health

In 1993/94 the Department of Health undertook with the Office of Population Censuses and Surveys (OPCS) a national survey of psychiatric morbidity among adults aged 16-64. This survey of 10,000 adults is the largest ever undertaken in Great Britain. Between the ages of 20 and 54 about 22% of women compared to 12% of men were found to have had a neurotic mental health problem. Other studies indicate that the depression rate is twice as high in women than men, and women are much more likely than men to suffer from eating disorders in a ratio of approximately 10:1. However, women were three times less likely to have alcohol dependence and half as likely to be drug dependent than men. The greater life expectancy for women means that they are more likely to suffer from dementia than men.

The rate of suicide is much lower in women than men by a factor of about 4:1, but rates of deliberate self-harm are higher in women, with a peak in late adolescence. There seem to be some specific periods in their lives when both men and women are exposed to stressful events and circumstances that increase the risk of suicide. Studies have shown that high suicide rates occur among young married Asian women though they were less likely to have personality disorders or psychiatric disorders when harming themselves. A study due for completion in March 1996 is likely to provide new information about the rates of deliberate self harm across various ethnic groups.

Women also experience some specific mental health problems. Premenstrual syndrome (PMS) is a disorder which remains controversial, both in terms of prevalence (rates of 20% - 25% reported), aetiology, diagnosis and treatment. It is recognised that some psychiatric disorders, particularly depression, can be exacerbated in the pre-menstrual phase. Childbirth is also a significant precipitant of psychiatric disorder amongst women. Some 10%-15% of women experience post-natal depression. Hormonal factors have been suggested as an underlying cause, but there is no present consensus on the issue.

Women's experiences of mental health services also differ from that of men. Although women are more likely than men to be diagnosed as mentally ill by a GP, they are less likely to be referred to secondary care services. Women are more likely to be prescribed benzodiazepines than men, although prescription rates are falling. Women constitute 58% of in-patient admissions to mental illness hospitals.

Mental illness is a key area under the "Health of the Nation" initiative. The three primary objectives are:

- to improve significantly the health and social functioning of mentally ill people;
- to reduce the overall suicide rate by at least 15% by the year 2000 (from 11.0 per 100,000 population in 1990 to no more than 9.4);
- to reduce the suicide rate of severely mentally ill people by at least 33% by the year 2000 (from the life-time estimate of 15% in 1990 to no more than 10%).

A number of activities are taking place to improve diagnosis and treatment in primary care. These include GP education about mental health. Action is also being taken to further reduce the prescription of benzodiazepines. Family Health Services Authorities (FHSAs) have been asked to agree local targets with GPs for reductions in benzodiazepine prescriptions and their replacement with alternative management strategies.

Voluntary organisations can play a valuable role in the provision of services, particularly counselling and advice, to women with mental health problems and in highlighting women's particular concerns to purchasing authorities. Each year the Department gives grant aid to voluntary organisations concerned specifically with the mental health of women. These are to support both specific campaigns and special projects.

Ethnic Minority Women

While people from ethnic minority groups constitute 6% of the total population, they make up a much higher proportion of urban populations where they mainly live. "The Health of the Nation" takes account of the needs of ethnic minority groups. In its accountability to reflect the local population, the Patient's Charter also takes into account the needs of ethnic minority groups. The Department of Health has made £3 million available since 1989 for funding projects to improve information for ethnic minorities and access to services. It has also set up the Ethnic Health Unit to promote good practice in the NHS to support managers in developing links with local communities and to help build ethnic minority health into the mainstream work of the NHS Executive.

The Department is taking continuing action to improve information about ethnic groups. The 1991 census which included information about ethnic populations will provide information on such things as housing and employment conditions, which will provide a useful basis for understanding local populations. The Department has also done considerable work in taking forward the debate on introducing ethnic monitoring and from April 1995 it will be mandatory to include ethnic group data as part of the admitted patient care data sets. This source will provide important information on the take-up of services by ethnic minorities.

A University of Surrey report "Ethnicity and Health" found that coronary heart disease among men and women born in the Indian sub-continent is higher than the national average by 36% and 46% respectively and unlike other ethnic groups the trend is continuing to rise. The Department of Health is supporting a number of initiatives related to diet, exercise and relaxation for Asian women. Mortality from strokes for people from the Caribbean was double the average for England and Wales. People born in the sub-continent and the African Commonwealth also experienced significantly higher mortality from stroke. Department of Health research priorities include studies into the social and ethnic variations in cardiovascular disease and improving the care of client groups.

Early in 1994, the Government issued guidance on the management of sickle cell anaemia, prevalent among women from Afro-Caribbean backgrounds, and on thalassaemia which effects women from Asian, Middle Eastern and Mediterranean backgrounds. There are about 5,000 people with sickle cell disease in the UK, primarily in the Afro Caribbean population. Thalassaemia affects about 6,700 people in the UK.

CEDAW Committee General Recommendation calls for States Parties to take appropriate and effective measures to eradicate the practice of female genital mutilation.

Female Genital Mutilation

Female Genital Mutilation is not a traditional practice in the UK, although it may be customary among certain migrant groups. The Prohibition of Female Circumcision Act 1985 makes it an offence to carry out any of the procedures which are known as female circumcision but which are more accurately described as female genital mutilation (FGM). The Act makes it illegal to aid, abet, counsel, or procure the carrying out of these procedures. Further legal protection is provided by the Children Act 1989.

In October 1991, the Department of Health issued guidance entitled "Working Together Under the Children Act 1989" to all local authorities, health authorities, the police, the probation service, schools, doctors and a wide range of voluntary organisations working in the childcare field. This guidance contained advice on the 1985 Act and on dealing with FGM. The Department also provides funding for a voluntary organisation called FORWARD - the Foundation for Women's Health and Development, which works to educate the relevant communities and professionals concerned with FGM.

To date, there have been no prosecutions under the 1985 Act. This is probably because evidence is difficult to acquire. Any information received about specific instances of alleged FGM is sent to the police. It is for the police to investigate any such allegations and discuss with the Crown Prosecution Service how to proceed. When appropriate, details are also passed to the General Medical Council, the local Social Services Department and the District Health Authority (DHA), if the offence is said to have taken place in a private hospital or clinic registered and inspected by the DHA.

The General Medical Council has recently erased from its register the name of a doctor it found guilty of serious professional misconduct based on evidence it heard of his willingness to perform an illegal operation for which there were no medical indications. The Council's determination was passed to the Director of Public Prosecutions.

C FAMILY PLANNING, ABORTION AND MATERNITY SERVICES

UK Fertility Rates

Fertility rates have fluctuated in the years since 1980 but remain below the level regarded as the long term natural replacement level of the population of 2.1 children per woman.

12.5 Total Period Fertility Rate (TPFR) in the UK: selected dates 1980-1992

	1980	1985	1990	1992	1993
Rate	1.89	1.80	1.84	1.79	1.76

Source: Government Actuaries Department

The total period fertility rate (TPFR) measures the average number of children a woman would have if she experienced the age specific fertility rates of the year in question throughout her child-bearing life. It is a more reliable measure of fertility than the crude birth rate (ie the number of births per 1,000 total population) as it takes into account the number and age structure of women of child-bearing age. The TPFR for the UK fell from 1.89 in 1980 to 1.77 in 1984. The trend in the mid to late 1980s was generally upwards, with some fluctuation, until the rate reached 1.84 in 1990. A subsequent decline in the rate has culminated in a 1992 figure of 1.79. The conception rate for under 16s is currently 9.4 per 1000 girls in England and 10.4 in Wales.

Family Planning Services

The "Health of the Nation" strategy requires Health Authorities to ensure that a full range of family planning services is available and accessible to people who wish to use them. Guidance was issued in 1992 reminding authorities that services should be available on a self referral basis to all and geographically accessible.

Family planning is an important health care service which contributes to better maternal and child health and to the stability of family life. The emphasis is on enabling people to plan and space their families as they wish. Family planning advice is available in special clinics and from GPs. Health authorities are expected to ensure that a full range of family planning services, including emergency contraception and services for young people as available, and to publicise them. Family planning advice and contraceptives are free to all under the NHS. In 1993 around 7 in 10 women aged between 16 and 49 practised some form of contraception, a proportion which has remained fairly constant since the mid 1970s. The pill is still the most widely used contraceptive particularly by women up to the age of 35. Women over 35 are more likely to have had a hysterectomy or to have a partner with a vasectomy. Use of the male condom has increased since 1987, and its use was much the same for all age groups. In 1993 17% of women between 16 and 49 used the male condom as their method of contraception.

12.6 Current use of contraception by age

WOMEN AGED 16-49

GREAT BRITAIN: 1991

Current use of contraception	Age								
	16-17	18-19	20-24	25-29	30-34	35-39	40-44	45-49	Total
Using method(s)	%	%	%	%	%	%	%	%	%
Non-surgical*									
Pill+	16	46	48	43	25	11	4	2	23
Mini pill	3]	6]	10]	8]	6]	4]	3]	2]	5]
Combined pill	12] 15	37] 43	36] 46	30] 38	18] 24	7] 10	1] 4	0] 2	16] 22
IUD	0	0	3	4	8	7	6	4	5
Condom	10	15	14	19	17	20	13	12	16
Cap	0	0	1	1	2	2	1	2	1
Withdrawal	1	2	2	2	3	3	3	4	3
Safe period	0	0	1	2	2	2	1	1	1
Spermicides	0	0	1	0	0	0	0	0	0
Injection	0	0	1	1	1	1	0	0	1
At least one	22	55	64	65	54	41	28	23	46
Surgical									
Sterilisation - female	0	0	0]	4]	9]	16]	23]	26]	12]
- male	0	0	1] 1	4] 8	12] 21	22] 38	26] 50	21] 47	13] 25
Total - at least one	**22**	**55**	**65**	**73**	**75**	**79**	**78**	**70**	**70**
Not using a method									
Sterile after other operation	0	0	0	0	1	3	5	10	3
Pregnant now	2	2	6	9	6	3	0	0	4
Going without sex to avoid pregnancy	0	0	0	0	1	0	1	0	0
No sexual relationship	73	40	21	11	9	8	9	9	15
Wants to get pregnant	0	2	6	10	9	4	1	0	5
Unlikely to conceive because of menopause	0	0	0	0	0	0	1	7	1
Possibly infertile	0	0	0	1	1	1	2	1	1
Doesn't like contraception	2	0	3	1	1	1	2	1	1
Just doesn't use contraception	0	0	1	1	0	0	0	0	0
Other	0	0	1	1	0	0	0	0	0
Total not using a method	**78**	**45**	**35**	**27**	**25**	**21**	**22**	**30**	**30**
*Base = 100% ***	*267*	*260*	*758*	*931*	*956*	*753*	*857*	*789*	*5571*

* *Abstinence is not included here as a method of contraception. Those who said that 'going without sex to avoid getting pregnant' was their only method of contraception are shown with others not using a method*

+ *The total percentage using the pill includes those who did not know which type of pill*

** *Percentages add to more than 100 because of rounding and because some women used more than one non-surgical method*

Source: General Household Survey 1993

In England, 4 million women use family planning services each year - three-quarters through the family doctor - and £136 million a year is spent on NHS provision. In Scotland approximately 430,000 women use family planning services each year, 75% through their GP. In Wales around 700,000 women use family planning services each year, 9 out of 10 seeing their family doctor. The Government provides funding to the Family Planning Association, Brook Advisory Centres, and the Catholic Marriage Advisory Council. The use of contraception has remained fairly constant over the last 10 years at around 70% of sexually active women aged 16-49 and is similar for men, although no information is collected on the use of family planning services by men.

The Government's "Health of the Nation" priorities include a target to reduce the rate of conception for under 16s in England by at least 50%, from 9.5 per 1,000 girls aged 13-15 in 1989 to no more than 4.8. In Wales the target is also to reduce the rate of conceptions among under 16s by at least 50% by 2002 (Baseline 1990: 10.3 per 1000 girls aged 13-15). In 1991, the rates of conception amongst under-16s in England and Wales fell for the first time in ten years to 9.3 per 1000 girls aged 13-15. The conceptions amongst the under-16s in England and Wales resulting in abortion fell from 5.1 per 1000 girls aged 13-15 in 1990 to 4.8 in 1991.

"Scotland's Health - A Challenge to Us All" does not include specific targets to reduce teenage conceptions. However, this has been recognised as a key area for action and local targets for reducing teenage pregnancies and abortions have been set by 12 out of the 15 Health Board areas. Educational and sexual health initiatives are actively promoted. Provisional statistics for 1993 indicate that the rates of pregnancies among 13-15 year olds was 8.4 per 1000 with the abortion rate of 3.1 per 1000.

The Regional Strategy for the Northern Ireland Health and Personal Social Services sets the target that by 1997 there should be a substantial fall in unplanned births to mothers under 20, with the effect that the overall number of births to teenage mothers is reduced by 15% from just over 1,900 in 1989 to 1,600. It should be noted however, that the 1967 Abortion Act does not apply in Northern Ireland.

Abortion

The Abortion Act 1967, which applies to England, Scotland and Wales, allows for the legal termination of a pregnancy by a registered medical practitioner, where two other registered medical practitioners have confirmed that the risk of injury to the physical or mental health of the mother, or any existing children of her family, would be greater if the pregnancy continued than if it were ended. The number of abortions increased by 43 per cent between 1971 and 1991 to over 190 thousand but has since fallen to 180 thousand in 1993. The number of single women having an abortion has roughly doubled over the past twenty years, but there are fewer abortions among married women. In 1993 two thirds of abortions were performed on single women and nearly 70% of abortions involved women aged 20 to 34, whether single or married. About 1,750 women travel from Northern Ireland to Great Britain each year for abortions.

Since a change to the law in 1991, the upper limit for the majority of abortions, is 24 weeks. The grounds on which abortion can be carried out later than the 24 week limit are: to save a pregnant woman's life; to prevent grave permanent injury to the pregnant woman's health; or where there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. In 1992 (the only full year since the law was changed for which figures are available) there were 172,069 abortions of which 60 (0.03%) were over 24 weeks gestation. In 1993 only 12% of abortions were carried out on women more than 12 weeks pregnant, compared with 22% in 1971.

In England and Wales 53% of abortions (for women resident in the UK) were performed under the NHS. In Scotland more than 98% of abortions are performed under the NHS, and of that figure, more than 90% are performed prior to 14 weeks gestation. Within the NHS the level of gynaecological provision, including abortion is, like any other provision, decided by individual health authorities. The Government believe that such decisions are best taken locally in the light of authorities' first hand knowledge of local needs and priorities. The private sector adds to the options that are available. Some people prefer to exercise this option. Health authorities also use the private sector (under agency arrangements) to perform NHS abortions.

12.7 Abortions in England and Wales 1982-1993

Year	Total	Residents				Rates per 1000 women 15-44	Non-residents		
		All Premises Total	NHS	Agency *	Non-NHS Total		All Premises Total	NHS	Non-NHS
1982	163,045	128,553	62,409	4,425	61,719	12.17	34,492	123	34,369
1983	162,151	127,375	62,609	4,614	60,152	12.08	34,786	208	34,578
1984	169,993	136,388	64,823	4,912	66,653	12.80	33,605	103	33,502
1985	171,873	141,101	65,176	5,929	69,996	13.11	30,772	78	30,694
1986	172,286	147,619	67,451	6,819	73,349	13.54	24,667	78	24,589
1987	174,276	156,191	69,442	8,041	78,708	14.22	18,085	63	18,022
1988	183,798	168,298	69,103	9,357	66,653	15.29	15,500	74	15,426
1989	183,974	170,463	70,722	9,200	90,541	15.49	13,511	64	13,447
1990	186,912	173,900	73,517	9,582	90,801	15.83	13,012	65	12,947
1991	179,522	167,376	75,172	8,197	92,204	15.27	12,146	73	12,073
1992	172,069	160,501	79,537	11,982	68,976	12.51	11,568	97	11,471
1993	168,711	157,846	84,067	14,836	58,943	12.30	10,865	117	10,748

Source: Office of Population Censuses and Surveys certain NHS

**Undertaken through arrangements between NHS authorities and the private sector*

The Secretary of State for Northern Ireland has undertaken to consider carefully the recommendations of the recent Standing Advisory Commission on Human Rights (SACHR) report on the need for clearer abortion law in Northern Ireland. SACHR has conducted a consultation exercise with churches, medical groups, lawyers, campaigning groups and others before formulating alternative legislative ways forward. Successive Governments have been neutral on abortion issues and proposals for changes in the law on abortion have always been decided by Parliament on the basis of free votes.

Maternity Services

The provision of maternity services in the United Kingdom has been described in detail in previous reports. The maternal mortality rate in the UK decreased by 6% between 1985 and 1992 from 7.0 per to 6.6 per 100,000 births.

Government policy has, since January 1994 been to offer women more choice in maternity care provision and to move towards greater community-based care. Comprehensive reviews of maternity care provision have been undertaken by the four UK Health Departments. The fundamental principle identified in each of these reviews is that the woman and her baby should be at the centre of all planning and provision of maternity care. Women should be active partners in decisions on the care they receive, and the role of maternity professionals should be to support the woman in her choices. The NHS is now working to implement these recommendations.

A woman is entitled to care throughout her pregnancy, the birth and the postnatal period. During the pregnancy and until her baby's first birthday, she is also entitled to free prescriptions and dental care. Care may be provided by a midwife, a community-based GP, a hospital-based obstetrician, or a combination of these. The birth may take place in a hospital maternity unit, a midwife/GP led unit, or at home. At present the number of births taking place at home is relatively small and most babies are born in hospital - some of these being within midwife/GP units. Length of stay may vary from a few hours to around a week. On return home, a midwife will visit until the baby is at least ten days old and thereafter a health visitor's services are available.

A number of specific steps have been taken to improve uptake of ante-natal care among ethnic minority women. For example, the Asian Mother and Baby Campaign and the introduction of the "Link Worker" scheme aim to improve communication and minimise the language and cultural barriers that can impede access to health services for Asian women.

Breastfeeding

Based on information from a report by the Office of Population Census and Surveys produced in 1990, while 63% of women breastfeed at birth this drops to 39% at 6 weeks and to 25% at 4 months after birth.

Based on unequivocal medical advice, the Government has consistently supported breastfeeding as the best means of nurturing a baby. Following World Health Organisation measures, the UK has: implemented a Code of Practice for the Marketing of Infant Formulae in the UK and established a Code Monitoring Committee through voluntary agreement with manufacturers; led negotiations resulting in agreement that free samples and subsidised supplies of infant formula should no longer be allowed in NHS hospitals and clinics; set up under the "Health of the Nation" initiative, the National Breastfeeding Working Group which aims to promote and facilitate breastfeeding, building on earlier work in this area. The Government funds three voluntary organisations supporting breastfeeding - the Association of Breastfeeding Mothers, the Breastfeeding Promotion Group of the National Childbirth Trust, and La Leche League.

Future action will include: ensuring that the UK regulations to implement the European Commission Directive, which have recently been the subject of a public consultation exercise, will provide a safeguard for breastfeeding by placing statutory restrictions on the composition, labelling, advertising and export of infant formulae; continue funding of the three voluntary organisations; and ensure that up to date medical advice is passed on to health care professionals and others with an interest in breastfeeding. Further measures to increase the proportion of mothers who breastfeed will be considered by the National Breastfeeding Working Group.

ARTICLE 13

WOMEN IN ECONOMIC, SOCIAL AND CULTURAL LIFE

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular;

a. The right to family benefits;

b. The right to bank loans, mortgages and other forms of financial credit;

c. The right to participate in recreational activities, sports and all aspects of cultural life.

Taxes and Family Benefits

Since the United Kingdom's previous report, the reservation on taxation to this article has been lifted as a result of changes to domestic legislation which allowed for the independent taxation of married women. The last periodic report gave full details of these changes.

The social security system of the United Kingdom is described in detail in previous reports and under Article 11 and other relevant information is included under Article 16 of this report. The system allows women and men equal access to family benefits.

7,120,000 mothers receive Child Benefit, a non-means tested non-contributory weekly benefit paid to the mother in respect of each child until the completion of non advanced education or the nineteenth birthday, whichever is the sooner. Additionally, there is the Lone Parents Benefit, paid on top of Child Benefit to anyone bringing up a child on their own. Like Child Benefit, it is non-contributory and non-means tested. Nearly one million families are helped by the benefit and in the vast majority of cases the recipients are women.

Loans, Mortgages and Credit

The Sex Discrimination Act makes it unlawful for anyone who provides banking or insurance facilities for grants, loans, credit or finance to discriminate against a person on the grounds of sex by refusing or deliberately omitting to provide them with those facilities. There are no bars on women's access to bank loans, mortgages or consumer credit and they do not need the consent of their husband or father to apply for such services.

Generally owner-occupation of houses has been increasing since 1985. Over three-quarters of married couples owned (or had mortgages on) their living accommodation in 1993, compared with just over two-thirds, 69%, in 1985. Similar trends applied to non-married people, half of whom were owner-occupiers in 1993. The proportion of non-married female household heads owning their own residence, 49%, was slightly lower than the corresponding figure for men, 52%. The gap had narrowed slightly over the previous eight years: in 1985, the proportions had been 42% and 47% respectively.

In a survey of first-time buyers in 1993 the percentage of first-time mortgages taken out by single males was 20% compared to 17.5% by women first-time buyers. The majority of first-time mortgages - 61% - were given to male/female couples. These statistics have only in the last year been collected by the Department of the Environment. In future the gender trend for first-time mortgages will be assessed on an annual basis. Women may face particular barriers when starting up in business. They may have more difficulty in raising capital because they are less likely to own a property to offer as security, to have management experience or to have formal qualifications. These limitations seem to apply particularly to ethnic minority women.

No information is available about the relative levels of credit made available to women and men by banks or in support from the Government. However, the Government's Loan Guarantee Scheme (LGS) has provided a Government guarantee for loans made by banks and other financial institutions to businesses unable to obtain conventional loans because they lack the security of a track record. This is likely to be of particular benefit to women. Since it started 13 years ago, the LGS has provided guarantees on over 38,000 loans to a total value of £1.2 billion. Because of the nature of the loan, which is granted to organisations rather than individuals, it is difficult to assess accurately the proportion of women benefiting from the Scheme.

Recreation, Sport and Cultural Life

Leisure Activities

According to the General Household Survey, across most groups men had more free time than women. For example, among people in full-time employment during 1992-93, men recorded more free time than women - 46 compared to 31 hours per week. Even among retired people, men enjoyed over 90 hours free time per week, 20 hours more than retired women. Whether in employment or not, women generally seem to have less time for leisure than men.

For both sexes activities like watching television, listening to the radio, visiting or entertaining friends and relatives, reading and gardening are popular. Men are more likely to have listened to the radio or done some gardening, whereas women are more likely to have seen friends or relatives or spent time reading. Women are the largest users of libraries, accounting for 61% of total library borrowings.

13.1 Participation in selected leisure activities in the 4 weeks before interview by sex and age: Persons aged 16 or over: Great Britain 1993

PER CENT

Leisure Activity	Men	Women	Total
Watching TV	99	99	99
Visiting/entertaining friends/relatives	95	96	96
Listening to radio	91	88	89
Listening to records/tapes	79	75	77
Reading books	59	71	65
Gardening	51	45	48
DIY	57	30	42
Dress Making/Needlework/Knitting	3	38	22
Base	8,062	9,490	17,552

Source: General Household Survey 1993

Sport

According to the General Household Survey, overall men are more likely than women to have participated in at least one sporting activity - 72% of men but only 57% of women -which represents a small increase in women's participation since 1987 when the figures were 70% for men compared with 52% for women. Women's lower participation in sport continues a trend observable from childhood outside school time (see Article 10). Participation in sports was higher among younger age groups, men and women in non-manual socio-economic groups and those in employment, and below average for those with a child under the age of 5.

There has been a general growth in the UK of participation in keep fit activities particularly amongst women - for example participation in keep fit and yoga for both men and women rose from 8.6% of those interviewed in 1987 to 12.1 % in 1993, with 17% of women participating compared to 6% of men. Although outdoor team games are still male dominated, the numbers of women taking part in team sports, such as football and cricket, are also increasing.

13.2 'Top six' sports for women in selected age bands in Great Britain in 1993: rank order for the percentage of women participating in the four weeks before interview

Age 16 - 19	Age 25 - 29	Age 45 -49	Age 70 and over
Walking	Walking	Walking	Walking
Keep fit	Keep fit	Swimming	Keep fit/yoga
Swimming	Swimming	Keep fit/yoga	Swimming
Snooker/pool/billiards	Cycling	Cycling	Cycling
Cycling	Snooker/pool/billiards	Golf	Bowls
Running	Tenpin bowls/skittles	Darts	Golf

Source: General Household Survey 1993

In Northern Ireland women account for 50% of those participating in indoor sport. District Councils have recently provided within a number of leisure centres, professionally designed fitness suites geared towards general fitness rather than the more male-dominated traditional body building gyms.

The Government is keen to increase opportunities for women in sport, and it aims to ensure that membership of the Sports Councils includes a proportion of women, so that their contribution to policy-making is felt. In July 1994, the Government announced its plans for restructuring the Sports Council GB. Two new bodies will be created, a UK Sports Council and an English Sports Council (ESC), which will complement those already serving the home counties. Both Government and Sports Councils are committed to ensuring women's representation on committees and in senior and middle management, and to increasing women's influence in national sporting organisations.

Sport will receive one fifth of the net proceeds of the new National Lottery, an estimated maximum of £320m a year, which will be distributed by ESC. This money, which will be additional to conventional public expenditure, will benefit all groups throughout the country.

Since certain competitive sports are excluded from the Sex Discrimination Act and the Sex Discrimination (Northern Ireland) Order, organisations such as football clubs, may legally bar women from becoming members. Women, particularly those with family responsibilities, may also have less uncommitted time than men to take part in these sports. The Scottish Sports Council has made extra resources available through the Teamsport Scotland initiative and in partnership with the Scottish sports governing bodies, is developing opportunities in team sports such as women's soccer and rugby.

Women's contribution to sport as coaches, managers and administrators has grown. 50% of the workforce in the industry are women, and in 1992, 24% of the membership of the Institute of Leisure and Amenity Management was female. New projects to promote coaching opportunities for women have been established by the Sports Councils in partnership with the National Coaching Foundation, the British institute of Sports Coaches and the Women's Sports Foundation (WSF). Government funds have assisted the WSF, founded in 1984, to raise the profile of women in sport, including the Sportswoman of the Year Award, started in 1986, and a nationwide awards scheme for girls and young women, launched in 1992, to encourage more women to participate in sport and pursue sporting careers.

In 1994, the Sports Council GB supported by the International Olympic Committee, held the first international conference on women and sport. The Conference brought together policy and decision makers in sport at both national and international levels from 82 countries. Delegates representing governmental and non-governmental organisations, national Olympic committees, international and national sports federations and educational and research institutions, endorsed the Conference Declaration calling for all women and girls to have the opportunity to participate in sport in a safe and supportive environment; for women's involvement in all levels of sport; for women's knowledge, experience and values to contribute to the development of sport; and for the promotion of the recognition by women of the intrinsic value of sport and its contribution to personal development and healthy lifestyle.

The Arts

Formal discrimination against women in cultural activities such as the arts, literature and music does not occur in the United Kingdom, and there are many nationally and internationally prominent women in these areas. 1994 saw a number of events which showcased women's art. Among others, there were women's music festivals in Norwich and Lincolnshire and the Cardiff Festival's programme was devoted to the theme of women in the arts. However, attitudinal and structural barriers do exist and in autumn 1993 the Arts Council agreed a "Women in the Arts Action Plan". This Plan aims to promote immediate and practical action which will advance the position of women in the arts and help overcome any continuing barriers.

As well as the relatively low representation of women at all levels of decision-making in the arts, work by women artists is displayed much more rarely than that by men. For example, out of a total collection of some 15,000 works, the Tate Gallery has recently displayed around just 50 works by women artists. To promote equality of opportunity for women in the arts, the Arts Council has taken an advocacy role, working in partnership with arts organisations, Regional Arts Boards and national and international organisations active in the field of gender and equality. Individual art form departments are both monitoring and taking positive action in this area. To increase participation in the arts, a resource pack aimed at improving access to venues for women with young children, and others with caring responsibilities, is currently being developed.

Support has been given for artist-led projects aimed at preserving and raising the profile of the achievements of women artists, creating training opportunities for women artists and managers, and generating new resources to promote quality work by women artists.

The Arts Council of Northern Ireland, which has 40% female representation on its Board, recently completed a training project designed to bring about the occupational re-integration of the 12 women involved. The one year scheme attracted funding from the European Union's New Opportunities for Women (NOW) Programme and aimed to enable the women to re-enter the workforce, either generally or as instigators of their own self-employment or small businesses.

The Scottish Arts Council and the Scottish Film Council make it a condition of grant that their client organisations have equal opportunities policies. The Scottish Arts Council also carries out detailed monitoring as well as providing advice on issues relating to equal opportunities and ensuring that suitable training is available.

The Environment

In 1994 the UK's Strategy for Sustainable Development was published in fulfilment of Agenda 21, a commitment made at the 1992 Rio Earth Summit. It was produced after a year's wide ranging consultation with all main interest groups, discussions, seminars and over 500 responses which were received on the consultation paper.

A Government Panel on sustainable development, a UK Round Table on Sustainable Development and a Citizens' Environment Initiative have all been set up to help put sustainability into practice. The UK Round Table on Sustainable Development will provide a platform for discussions on sustainable development between members of environmental fora and representatives of local government, the voluntary sector and business and industry. The Citizens' Environment Initiative, now known as "Going for Green" will raise public awareness of sustainable development and encourage individuals to adopt sustainable lifestyles. It will complement the work of the voluntary organisations and of Local Agenda 21 being carried out by local authorities and other interested groups.

According to the Women's Environmental Network non-governmental organisation, women still make 80% of the consumer choices in the UK and surveys of public attitudes highlight women's greater concern about environmental issues. In a survey conducted by the Department of the Environment in 1993 on public attitudes towards environmental issues, the results for the top ten issues showed that a greater percentage of women were "very concerned" than the percentage of men. The Government ensures that issues of particular concern to women are taken into account when developing environmental publicity campaigns.

ARTICLE
14 RURAL WOMEN

1. *State Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including working in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.*

2. *State Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:*

   a. *To participate in the elaboration and implementation of development planning at all levels;*

   b. *To have access to adequate health care facilities, including information, counselling and services in family planning;*

   c. *To benefit directly from social security programmes;*

   d. *To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*

   e. *To organise self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;*

   f. *To participate in all community activities;*

   g. *To have access to agriculture credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reforms as well as in land resettlement schemes;*

   h. *To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

Population

Despite large areas of the country being either agricultural land or protected in some way as National Parks, the majority of the UK population is concentrated in London and the South East, and in the cities and industrial conurbations of the Midlands and the North. The proportion of women living in rural areas within Great Britain was under 10% in 1991, though there will have been a very small increase of around 1% since then as population in the UK has tended to move from large urban conurbations to rural areas.

14.1 Population of rural women in Great Britain in 1991

	Total female rural areas	Total female population	% female population in rural areas
England	2,226,446	23,483,561	9.48
Wales	224,599	1,413,317	17.31
Scotland	272,585	2,606,843	10.46
Great Britain	2,743,630	27,503,721	9.98

Source: 1991 census

The Role of the Rural Development Commission

The Rural Development Commission (RDC) is the Government agency concerned with the well-being of the people who live and work in England's rural areas. It has a statutory duty to advise Government on all matters relating to the economic and social development of these areas. As such it takes an active interest in the position of women in the countryside. The RDC has a budget of £43.78 million for 1995/6. In 1990, the RDC carried out a study of women in rural areas and found that they tended to have poor job security and poorer holiday and sickness benefits, in comparison to women nationally. They also found that many rural businesses were family run and women often provide services in an informal and unpaid capacity. Employment for women was made more difficult by a shortage of childcare and problems of access to essential services, including transport, training and job-seeking facilities. Two reports sponsored by the Commission in 1994 dealt more specifically with the problems faced by women with mental health problems and the disadvantages of black and minority ethnic women living in rural areas. The government recognises the specific problems women have in rural areas and is addressing these concerns.

Employment and Training

In most rural areas the choice and availability of work is limited compared with larger centres of population. There is much low-paid casual work undertaken in rural areas, particularly in agriculture and tourism, and a higher incidence of part-time work, especially by women. According to the Census of Population 1991, 38% of women employees in the Commission's priority Rural Development Areas (RDAs) worked part-time compared with a national average of 34%. Between 1984 and 1991 the percentage increase in numbers of women employed part-time in RDAs was twice that recorded nationally (the proportion of male part-time workers in also higher in RDAs than in England as a whole.) The Commission's report on Women and Employment in Rural Areas (1990) found that working conditions for women in selected rural study areas were significantly worse than nationally, with less favourable employment contracts and fewer rights to paid and sick leave. The report also found that conditions were significantly worse for part-timers than full-time employees.

Away from London and the South East, and the industrialised areas of the Midlands and the North, economic activity rates are in general lower: for example, under 59% in Devon, seven counties in Wales and parts of Scotland compared to activity rates of 63% plus in many parts of South East England. Average weekly earnings are in general lower in rural areas for both men and women in particular in Cornwall, most parts of Wales and parts of Scotland. A local labour market's occupational and industrial structure has an effect on average earnings and is likely to be main factor affecting pay in rural areas.

In the UK there is no legislative impediment to women's participation in agriculture, ownership of land or inheritance. Loans for setting up or running a business, or grants for improvements are based on the same criteria irrespective of the sex of the applicant. Agricultural education and training are open equally to men and women, and many women farm in their own right, or as partners with other family members.

14.2 Labour Force in Agriculture in the UK 1982-1984 and 1993

Workers		000 persons 1982-84 Average	000 persons 1993
Regular whole time			
Hired	male	121	74
	female	11	11
Family	male	30	22
	female	5	3
Total		**166**	**110**
Regular part-time			
Hired	male	19	19
	female	23	19
Family	male	12	13
	female	7	7
Total		**61**	**57**
Seasonal or casual			
	male	57	58
	female	40	30
Salaried managers (a)		8	8
Total workers		**332**	**263**

Source: *Agriculture in the UK 1993*

(a) This figure relates to Great Britain only

In order to increase the number of women participating in paid employment in rural areas, and to improve women's choice of work, it is recognised that transport provision must be improved. The Rural Transport Development Fund administered by the RDC and described in the UK's previous report, has a budget of £850,000 for the financial year 1995/6 and since 1986 the fund has helped nearly 400 rural transport schemes. The Government is also seeking to influence and promote opportunities for new transport services and encourage local solutions through support for transport and community groups. Steps are also being taken to enable women to take advantage of the opportunities offered by the introduction of new technology, for example, in homeworking.

Training opportunities for rural women are provided by Training and Enterprise Councils and through local groups such as the Rural Community Councils. In Northern Ireland support from the Rural Development Council enables voluntary community groups to play a role in the provision of mother and toddler groups and the formation of economic and social development groups led by women.

On 11 December 1986 the European Council adopted a Directive on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood. The purpose of the Directive is to recognise the specific contribution of the self-employed to family income, to give assisting spouses a clearly defined professional status and, by extension, to establish their social security entitlements. This Directive has been fully implemented into UK law by means of the

Equal Pay and Sex Discrimination Acts and various Social Security statutes. Legislation is in place to outlaw discrimination on grounds of sex in access to the professions, vocational guidance, training or promotion and social security benefits. Individuals have the right of redress if they consider they have been discriminated against.

Childcare Facilities

The Rural Childcare Initiative was established in June 1992, which aims to raise awareness of the special needs for childcare in rural areas of Great Britain; establish demonstration projects to test ways of providing affordable childcare tailored to rural circumstances; and disseminate good practice, including lessons from Europe. A Rural Childcare Adviser was appointed to take these aims forward, jointly funded by RDC and the Department of Health and based at the National Council for Child Care Organisations. Four demonstration projects have now been established in Cornwall, Oxfordshire, Tynedale and Yorkshire. Four regional childcare seminars and a national conference are planned in 1995 to stimulate discussion and potential partnership across the voluntary, statutory and private sectors to develop a range of childcare and related family support centres in rural areas. The evaluation report of the three-year Initiative will be completed in Spring 1996.

The RDC is funding a rural development project with the Kids Club Network which is responsible for raising the profile of out-of-school care in rural areas and developing pilot projects. Now in its second phase, it is concentrating on training, the economic role of childcare in rural areas and work with the Consortium of Rural TECs (CORT), employers and trade unions and is taking advantage of the Training and Enterprise Councils'-led Out-of-School Childcare Initiative. The RDC also funds local childcare projects through its rural development programmes to support community activities and tackle disadvantage. In 1994/5, the Rural Development Council (RDC) in Northern Ireland provided start up grants for six rural childcare projects. The total grant paid by the RDC amounted to £3,450.

Rural Planning

The UK planning system is designed to help people plan the use of their own land, to help local authorities to act in the public interest (for example by designating land for a particular use), and to stop developers acting against public interest. The system also allows the opportunity for those affected by planning proposals to air their views. Under the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991), all local planning authorities have a duty to prepare a development plan setting out their policies and proposals for the future development of their area.

The Town and Country Planning (Development Plan) Regulations 1991 require planning authorities to have regard to social considerations in preparing strategic policies and proposals for their structure plans and unitary development plans. The Department of the Environment's Planning Policy Guidance Note 12 (PPG12): "Development Plans and Regional Planning Guidance" also advised authorities preparing detailed policies for their local plans and unitary development plans, "to consider the relationship of planning policies and proposals to social needs and problems including their likely impact on different groups in the population, such as ethnic minorities, religious groups, elderly and disabled people, single parent families ...."

Rural Community Life

Women play an important role in rural community life in the United Kingdom. Throughout the country there are women organising community associations and parents' groups, fundraising for charities, and providing advice, information and services. Over half the estimated 23 million people involved in voluntary activity each year are women. They tend to be involved in "grassroots" activities such as fundraising and visiting those in need with services like "meals on wheels". The Government acknowledges the importance of voluntary activity and part-funds the Volunteer Centre UK to provide information, training, advice and research in this vital area of British life. In Northern Ireland, the Northern Ireland Volunteers Development Agency is funded for comparable purposes.

Organisations like the National Federation Women's Institutes (NFWI) and the Scottish Women's Rural Institute also play a significant role in rural life. Local groups meet regularly to discuss a range of subjects of interest to women. The Women's Institute offers women the opportunity to follow classes in public speaking, crafts, music and much else. The local network is linked to regional and national structures, and members have the chance to build confidence and organisation skills to help them in the workplace or the public arena. The RDC is currently funding a three-year project through the Rural Social Partnership Fund to extend and develop the National Federation of Women's Institutes' existing programme to accredit women's voluntary experience through the RSA Advanced Diploma in the Organisation of Community Groups (ADOCG). By the end of the project 12 centres will have been established with a total of around 150/200 women obtaining the Advanced Diploma. A final report will be produced at the end of the project in early 1998.

ARTICLE 15
EQUALITY BEFORE THE LAW

1. *States Parties shall accord to women equality with men before the law.*

2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*

3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*

4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

Women's legal status

No distinction is made by the law in the United Kingdom, including the separate Scottish legal system, between men and women. They are both accorded the same legal personality. Women have the same rights as men and there is no bar preventing women from bringing actions before any court or tribunal. Either spouse by reason of the Law Reform (Husband and Wife) Act 1962 has the same right of action against the other in court and since the Law Reform (Married Women and Tortfeasors) Act 1935 a woman has been able to hold and dispose of all property whether by herself or with another person. A woman can enter any contract or sue or be sued on such a contract and be subject to the bankruptcy laws in exactly the same way as a man. There are no laws in the UK which seek to restrict the legal capacity of women as a group.

Women are equally eligible with men to serve on juries and similarly excepted where they are mentally disordered, blind, deaf or have any other physical disability which makes them incapable of serving.

Legal Aid

English law provides assistance in the form of legal aid to people who wish to pursue legal remedies before the courts. The conditions for granting legal aid or advice under the Legal Aid Act 1974 are that a person's income and capital should fall within certain prescribed limits and that it is reasonable for such an action to be brought. Women are just as eligible as men for legal aid providing the prescribed conditions are fulfilled.

Legal Aid is available for almost all proceedings throughout the courts of England and Wales. All applicants for legal aid have to pass tests of means and merits, which are designed to ensure that legal aid is only granted to those within the financial limits set, and who have a reasonable case.

In matrimonial cases, or in other cases where a husband and wife are in dispute, their eligibility on financial grounds for legal aid is assessed separately, and is not based on their joint income. Additionally, where there is real urgency, such as the case where the assisted person is seeking an injunction in a case of domestic violence, an application may be made for an emergency certificate.

In the financial year 1992/93 and 1993/94, of the certificates issued in matrimonial proceedings, twice as many legal aid certificates were granted to women as men. The relevant figures are set out below. Of the certificates issued in this area in both years, the majority of women were plaintiffs and the men, defendants.

15.1 Legal Aid Certificates granted in England and Wales: 1992/3/4

1992/93	Plaintiffs	Defendants	Total
Women	77,811	9,596	87,451
Men	10,993	30,386	41,421
1993/94	**Plaintiffs**	**Defendants**	**Total**
Women	56,745	6,652	63,434
Men	9,214	20,163	29,403

Source: Lord Chancellor's Department

Judicial Appointments

The Lord Chancellor's policy is to appoint to each judicial post in England and Wales the candidate who appears to him to be the best qualified regardless of gender, ethnic origin, marital status, sexual orientation, political affiliation, religion and, subject to the physical requirements of the post, disability. A major factor affecting the number of women in the judiciary has been the relative lack of women within the legal profession with the necessary seniority and experience, although this is changing as more women enter the profession. The Lord Chancellor has repeatedly stressed that he very much welcomes applications from suitably qualified women and, without prejudice to the principle of appointment on merit, the Lord Chancellor has recently taken a number of steps including:

- applying age limits flexibly to take account of those who take a career break or start their career late;
- carrying out specific reviews of female candidates;
- the inclusion of women wherever possible among those under consideration for specific appointments;
- taking into account the domestic commitments of successful applicants wherever possible in considering the geographical location of a posting;
- publicising the system of judicial appointments in speeches and meetings.

The Lord Chancellor's policy is also applied in Northern Ireland and members of the legal profession are reminded of the Lord Chancellor's wish for suitably qualified female barristers and solicitors to apply for appointment to judicial posts. The Lord Advocate follows a similar policy in Scotland. The legal profession in Scotland is encouraging more women advocates and solicitors to make themselves available for judicial appointments.

15.2 Number of men and women in the judiciary in England and Wales: 1992 and 1994

NUMBERS AND PER CENT

	1992			1994		
	Men	Women	Women %	Men	Women	Women %
Lords of Appeal in Ordinary	10	0	-	10	0	-
Lord Justices of Appeal	26	1	*4*	28	1	*4*
High Court Judges	79	4	*5*	89	6	*6*
Circuit Judges	460	24	*5*	485	29	*6*
District Judges	241	17	*7*	270	29	*10*
Recorders	741	38	*5*	825	41	*5*
Assistant Recorders	433	50	*10*	330	61	*16*
All	1,990	134	*6.3*	2,037	167	*7.6*

Source: Lord Chancellors Department

The overall figures for women in the Scottish judiciary are 7% in 1994, against 6% in 1993 and 5% in 1989. There is one female Temporary Judge, accounting for less than 1% of posts, and women account for 8% of Sheriffs and Temporary Sheriffs. There are no female judges in Northern Ireland.

In addition, however, women do play a key role as lay magistrates in England and Wales and in Northern Ireland. Lay magistrates are men and women without legal qualification who sit in a judicial capacity in local courts on a part-time, voluntary basis. Women accounted for 43% of lay magistrates in 1989 rising to 46% in 1993 in England and Wales. In Northern Ireland, 18% of the 979 Justices of the Peace were women and 54% of the 122 Lay Panel Members of the Juvenile Court were women.

Movement and domicile

English law accords equality of treatment between men and women in respect of the rights of movement and domicile. Every person subject to English law is held to have a "residence" which is determined on the criteria or physical presence of that person and not other criteria. It is possible for a husband and wife, for example, to have different residences to each other.

There are two forms of domicile under English law. Domicile of origin which is acquired at birth and domicile of choice which is acquired by an individual moving to another country and intending to remain there indefinitely. The rules for application of domicile law apply equally to men and women. Under the Domicile and Matrimonial Proceedings Act 1973 a married woman is not incapacitated from acquiring a domicile of choice and she may change her domicile independently of her husband.

Scottish law on the property of married couples is based upon the rule that each spouse's property remains his or her separate property. The Family Law (Scotland) Act 1985 confirmed that marriage, of itself, has no effect upon either the respective rights of the parties to the marriage in relation to their property or upon the party's legal status.

ARTICLE 16

MARRIAGE AND FAMILY RELATIONS

1. *States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:*

   a. *The same right to enter into marriage;*

   b. *The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*

   c. *The same rights and responsibilities during marriage and its dissolution;*

   d. *The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*

   e. *The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*

   f. *The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*

   g. *The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation.*

   h. *The same rights for both spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

2. *The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

A MARRIAGE AND DIVORCE

Rights and Responsibilities

The provision of the UK's marriage laws and the personal rights of the two partners have been described in detail in previous reports. Women and men have the same rights to marriage and discrimination on the grounds of sex or marital status is generally unlawful in the field of employment. Although traditionally women have taken their husband's surnames on marriage, and many still do, there is no obligation to do so and more and more women choose to continue to use their single name after they have married.

Married women now have independence and privacy in dealing with their tax affairs. Since April 1990 both husband and wife have each been taxed on their own individual income and are responsible for their own tax affairs. The principal allowances available to a married couple have also been changed so that both husband and wife get a non-transferable personal allowance, whilst the couple share a married couple's allowance which they can split between themselves or agree that one partner should have in its entirety.

In 1991, the House of Lords confirmed an earlier ruling by the Court of Appeal, that rape within marriage was unlawful in England and Wales. A similar ruling has been given by the Court of Appeal in Scotland. General recommendation 21 draws attention to the practice in some religions and ethnic customs of forced marriages or remarriages.

The Marriage Act 1949 does not preclude arranged marriages. However, under section 12(c) of the Matrimonial Causes Act a marriage shall be voidable if either party did not consent to it, whether in consequence of duress, mistake, unsoundness of mind or otherwise. Such a marriage may be annulled by the issue of an absolute decree of nullity, but will be treated as if it had existed up to that time.

Although there have been cases where girls, forced to undergo an arranged marriage, have succeeded in getting the marriage annulled, there is also case law of a court refusing to grant an annulment because it deemed that the girl had married to please her parents rather than as a result of their compulsion. In a case heard in the Court of Session in June 1993, Lord Prosser ruled that a marriage must be treated as null on the ground that he was satisfied that consent was vitiated by pressure of such a kind that "force" was an appropriate description, resulting in the pursuer's own will being truly overborne.

Divorce laws

In December 1994, the Lord Chancellor issued a Green Paper entitled "Looking to the Future: Mediation and the Ground for Divorce". The consultation paper suggested that there be one ground for divorce, the irretrievable breakdown of a marriage, and that the current five means of proving this breakdown -adultery, desertion, unreasonable behaviour, separation for 2 years with consent or 5 years without consent - would be replaced by one. This would involve the parties filing a statement that their marriage had broken down and then having a period of one year in which to consider whether the relationship could be saved and/or to consider arrangements for a life apart. The paper also suggested a greater role for mediation in helping couples agree arrangements for the future. The Government is likely to act along the lines proposed but no decisions have yet been made on a timetable for legislation.

Property Rights

There is, in general, a system of separate ownership of property during marriage, under which the spouse who pays for a particular item becomes the owner, but with the possibility of co-ownership arising in several ways, such as a purchase out of joint funds. The spouses can also directly decide how property is to be owned, for example, they may choose to be joint owners of the matrimonial home. On divorce the court has a wide range of discretionary powers to make a variety of orders relating to matrimonial finances and property. The court is directed to take into account a number of factors when making its decision such as the age of the parties, the length of the marriage and their financial needs. Pensions on divorce are considered under Article 11.

Rights on death of spouse

The Law Reform (Succession Bill) is currently before Parliament. It received its second reading on 13 February 1995. Clause 2 of the Bill amends the Inheritance (Provision for Family and Dependents) Act 1975, which enables members of a deceased's family circle to apply for financial provision from the estate if the will or intestacy rules leave them without reasonable provision.

At present, someone who lived with the deceased as husband or wife must demonstrate that he or she was actually dependent on the deceased. This can leave a long-term cohabitant who contributed fully to the household without provision and unable even to use this "safety net". The Law Commission considered this to be unfair, and proposed the change implemented by clause 2, whereby a cohabitant may make an application without having to show actual dependence. The factors taken into account in assessing what is reasonable financial provision are similar to those for spouses and aim to recognise the contribution which each cohabitant makes to the common household, while preserving the distinction between the respective claims of married and unmarried partners.

Parental Rights and Responsibilities

The principle that the welfare of the child should be paramount in any consideration with regard to his or her future is enshrined in the Children Act 1989. The mother of the child will always have parental responsibility, that is to say all the rights, responsibilities and duties which a parent has in relation to a child unless this is terminated by adoption. The father who is married to the mother at the time of the child's birth will also have parental responsibility unless the child is adopted. Unmarried fathers can acquire parental responsibility either by agreement with the mother or they can apply for a parental responsibility order through the court. Unmarried fathers who do not have or acquire parental responsibility may still bring some applications under the Children Act 1989, although in some instances the leave of the court will be required.

The introduction of the Children (Scotland) Bill sets out for the first time in statute a clear statement of the responsibilities and rights which parents will have in relation to their children. These are framed so that emphasis is placed on both parents taking responsibility for the raising of their children. The present divisive concepts of "custody" and "access" are replaced with concepts of "residence" and "contact" which will allow children to maintain personal relations and direct contact with both parents. New arrangements will make it easier for unmarried fathers to acquire parental responsibilities and rights.

The Child Support Agency

The Child Support Act 1991 paved the way for a major reform of child maintenance with the aim that parents should share the responsibility for the maintenance of their children. The Child Support Agency (CSA) was launched in April 1993 and is responsible for tracing absent parents and the assessment, collection and enforcement of child maintenance. It is expected that the number of lone parents, 90% of whom are women, receiving child maintenance will double in the long run.

In common with other countries who have introduced Child Support schemes, the UK provisions met with considerable resistance in the formative stages. The Social Security Select Committee have twice looked at the new system since its launch in April 1993. Many proposals for change have been put forward as part of their deliberations and the Government has just published its response to the latest report. The Government has been keeping the system under close review, as well as listening to representations from all quarters, and has proposed some changes to make the scheme fairer to all parties and more widely acceptable.

Payment of maintenance for children has declined over a number of years and increasing numbers of lone parent families are dependent upon income-related benefits. More than three quarters of the parents contacted by the Child Support Agency have not paid regular maintenance for their children. The Agency is determined to make improvements in the service it provides and Ministers are closely involved in ensuring a well accepted and workable system results. The new system provides for maintenance to be collected and enforced, where necessary, by the Child Support Agency. In this way, parents who wish to have no contact with each other can still provide for the support of their children, and parents with care responsibilities do not have to go to court if payments break down.

The UK child support system is based upon a detailed formula to take account of many differing circumstances while introducing the consistency which was lacking in the disparate arrangements it replaced. During 1996/7 a measure will come into force allowing limited discretion to depart from the formal assessment where there are appropriate grounds and this would be just and equitable. A principle aim of the child support policy is following through to ensure that regular maintenance is paid. As efforts to pursue non-payment increase, absent parents will be aware that there is every determination to make the new scheme work well.

The working of the policy and operations of the Child Support Agency are kept under constant review and the impact of any changes to the policy are fully evaluated. The performance of the Agency is monitored by taking note of the representations made by interested groups such as lone parents and absent parent organisations, members of the public and MPs.

In the longer term, it is proposed that a full evaluation of the Child Support Policy will take place. The evaluation will consider the policy at different stages of its implementation using information from a wide variety of sources.

B VIOLENCE AGAINST WOMEN

General Recommendations 12 and 19 ask States Parties to include in their reports measures taken to combat violence against women. General Recommendation 21 urges States Parties to ensure that, in both public and family life, women are free from gender-based violence.

Domestic Violence

Violent crime is an area of particular concern to women: the findings of the 1992 British Crime Survey (BCS) indicate that women tend to be more anxious about their personal safety than men. However, the survey - which asks a large representative sample of adults in England and Wales directly about their experience of crime whether or not reported to the police - shows that women are less likely to be the victims of violence than men and that they are more likely to be attacked by someone they know than by a stranger.

Although crime surveys are known to under-count the extent of domestic violence, 46% of the violent incidents women revealed to the BCS were classified as domestic in that they involved a current or former partner, other household member or relative. Only 4% of violence against men was "domestic". Over nine in ten of domestic incidents against women were perpetrated by men.

The higher risk that women face of violence from people with whom they live is also indicated by homicide figures. In England and Wales in 1993, of 606 offences currently recorded as homicide, 38% of the victims were women. 40% of the female victims were killed by current or former spouses, cohabiters or lovers, compared with only 6% of male victims.

In Scotland, over the 10 year period 1983 to 1992, over 40% of female victims of homicide were killed by their partners and a further 26% by relatives. During the same period, only 6% of male victims were killed by their partners and a further 16% were allegedly by relatives. In Northern Ireland in 1992, of 111 offences recorded as homicide, 17 - 15% - of the victims were women. 8 - 47% - of the female victims were killed by current or former spouses, cohabiters or lovers, compared with only 2 -2.% - of male victims.

Whilst in some cases men are undoubtedly the victims of domestic violence, current action focuses primarily on domestic violence against women.

16.1 The sex of offenders in violent crime in Great Britain

PER CENT

	% incidents male offenders	% incidents female offenders	% incidents both sexes
Male Victims			
Domestic	66	26	8
Home based	89	6	3
Street	87	0	12
Pubs/clubs	92	1	1
Work-based	94	5	2
Mugging	94	0	0
Other assault	90	1	2
All violence	89	3	5
Female Victims			
Domestic	92	7	1
Home-based	55	33	9
Street	60	35	3
Pubs/clubs	28	56	16
Work-based	68	22	9
Mugging	65	12	12
Other assault	55	23	19
All violence	72	20	6

Source: 1988 and 1992 British Crime Survey (weighted data)

Note: percentages do not always sum to 100% as there were some incidents for which the victim did not give the sex of the assailant. These included, for instance, 11% of mugging against women, and 6% of assaults in pubs/clubs against men.

The Government recognises that the fear of crime itself can be very disabling and that many women feel vulnerable. The provision of balanced crime prevention advice plays an important part in helping people to reduce the risks of crime happening to them, and in reducing the fear of crime.

The Home Office crime prevention guide "Practical Ways to Crack Crime" was first published in 1989 and revised in June 1994 retitled "Your Practical Guide to Crime Prevention". It gives advice on how people - women in particular - can reduce the risk of assault, including useful advice on safety while driving. The advice includes a section which attempts to raise men's awareness of the issue of women's safety and suggestions for action which they can take to help reduce women's fear of attack.

The Northern Ireland Office produce a similar publication called "Stopping Crime Starts with You". This publication includes a section which provides useful and practical advice to women to help them protect themselves when at home, out walking or when driving. It includes guidelines on what to do should the worst happen and lists a number of helplines of organisations which can provide support. The Scottish Office Crime Prevention Unit produce a women's safety package (leaflet and video) called "Seeing Sense".

In 1994, an official Interdepartmental Working Party on Domestic Violence was set up to promote a coordinated response to the problem at a national and local level, and to take forward the Government's response to the Home Affairs Select Committee's Report on domestic violence. In particular the working party is considering ways of improving services to victims, encouraging local coordination and raising public awareness of domestic violence. A Ministerial Group has also been established to decide how best to take forward work in this important area. In Northern Ireland an Interdepartmental Group has been established to review policy on domestic violence.

Following the Law Commission's report on Domestic Violence and the Occupancy of the Family Home, the Government has recently introduced the Family Homes and Domestic Violence Bill, which aims to establish a single and consistent set of civil remedies which would be available in all courts having jurisdiction in family matters, although it is acknowledged that some limitation on magistrates' courts powers is required.

The Bill implements almost all the Law Commission's recommendations and will extend the protection available to those suffering from violence and harassment in the home to those who:

- are, or have been married to each other;
- are, or have been cohabitants (namely those who are, or have lived together as husband or wife);
- live or have lived in the same household, other than merely by reason of one of them being the other's employees, tenant or border;
- come within a defined group of close relatives;
- are the parents of a child or, in relation to any child, are persons who have or have had parental responsibility for that child;
- are parties to the same family proceedings.

The Bill also extends the provisions available with regard to the transfer of property and the transfer of and succession to tenancies, so as to cover spouses and former spouses and cohabitants and former cohabitants (this has the same definition as given above).

In Scotland the law is set out in the Matrimonial Homes (Family Protection)(Scotland) Act 1981. This Act gives the court power to grant an exclusion order to either of the spouses from the matrimonial home. The Act also gives the police powers to arrest, in certain circumstances, perpetrators of domestic violence. This Act has generally worked well but the 1992 Report on Family Law by the Scottish Law Commission recommended widening its provisions to cover, for example cohabitants and former cohabitants.

Public Awareness

On 17 May 1994 the Ministerial Group on Domestic Violence endorsed proposals prepared by officials for the first phase of a campaign to raise awareness among the public, and actual and potential victims and perpetrators, of the criminality of domestic violence, the opportunities for redress, and the willingness of the authorities to treat the matter seriously.

The initial phase of the campaign took place in November 1994 and incorporated leaflets for victims, indoor posters, a cinema filler and an inter-agency circular which set out the Government's policy on domestic violence together with an agreed statement of local responsibilities. It will act as a guide to the ways in which local agencies can work together to improve their response to domestic violence and contains good practice guidance. Complementary to this, the Department of Health also plans to hold conferences for senior social services managers in 1995 to raise awareness of issues in particular looking at the implications for children.

A television based awareness campaign is planned for Northern Ireland for 1995. In Scotland a public awareness campaign was mounted in the summer of 1994 which is aimed at the perpetrators of domestic violence. The campaign uses television as the main medium but is supported by billboard posters sited across Scotland.

Effective action against domestic violence requires the commitment and involvement of local agencies, both statutory and voluntary, working in concert to develop local preventative strategies. One such example is the "Zero Tolerance" publicity campaign against domestic violence which has been undertaken by Edinburgh District Council and the Association of London Authorities and which follows an approach developed in Canada.

Criminal Justice Procedures

A number of initiatives have been taken to encourage an effective criminal justice response to violence against women. In July 1990 guidance was issued to the police in England and Wales and Scotland to ensure a quick and effective response to domestic violence, taking into account the overriding needs of the victim. The Royal Ulster Constabulary in Northern Ireland issued a similar Force Order in 1991. All police forces in the UK now have clear policies on domestic violence. The guidance emphasises:

- the duty to protect victims and children from further attack,
- treating domestic violence as seriously as other forms of violence;
- the dangers of seeking reconciliation between assailant and victim;

It is the immediate duty of police officers who are called to a domestic violence incident to secure the protection of the victim and any children from further abuse, and then to consider what action should be taken against the offender. The immediate protection of the victim may involve taking her to a shelter or liaising with statutory and voluntary agencies who can supply longer-term help and support.

Since 1987, some forces have established dedicated domestic violence units with specially trained officers which are able to perform a more active role, in conjunction with other key statutory agencies, in supporting and reassuring the victim and helping her to make reasoned decisions. Her Majesty's Inspectorate of Constabulary reports indicate that all police forces in England and Wales now have clear policies on domestic violence. A study to assess the effects of the guidance in England and Wales has been completed and will be published as a Home Office research study this year.

In 1993 the Crown Prosecution Service, responsible for the review and conduct of criminal proceedings in England and Wales, updated and published its comprehensive guidance issued to staff for dealing with domestic violence cases.

Support for victims in court

The Government is making every effort to ensure that the best use is made of facilities available to accommodate the needs of victims who give evidence in court. The Courts Charter, published in November 1992, recognised the needs of potential witnesses who may be apprehensive about appearing in court. The Government has also introduced a new offence of intimidating a witness, juror or someone assisting the police. This is designed to deter would be intimidators and to make it easier to prosecute those who do intimidate.

The Crown Court Witness Service (CCWS) is increasingly providing practical information, advice and emotional support to victims and witnesses - in all criminal cases - attending the Crown Court. The service is organised by Victim Support, the national organisation providing help for victims, which is funded by the Home Office. The CCWs began on a pilot basis in 7 courts in 1990. Since then schemes have been established in 54 Crown Court Centres. It is hoped to have them in all centres by the end of 1995. Increased Home Office funding will enable Victim Support to complete the CCWS before the end of 1995, with a scheme in each of the 78 Crown Court centres.

The Government is concerned that the identity of victims of sexual assaults should be adequately protected. Rape victims have been afforded anonymity since the enactment of the Sexual Offences (Amendment) Act 1976. This has been extended to victims of other forms of sexual assault by the Sexual Offences (Amendment) Act 1992. Similar protection is available in Scotland, primarily under the common law.

Locally-funded rape crisis centres exist in some areas. In addition, Victim Support has 10,000 volunteers in some 365 local victim support schemes across England and Wales, many of whom have received special training to enable them to provide practical help and emotional support - over a prolonged period if necessary - to victims of the most serious offences, including rape. Government funding of victim support is over £10 million this year, up by 20% from last year, and further increases are planned in each of the next two years.

Women's Refuges

Women's refuges are generally run by voluntary groups with resources from a variety of sources such as local authorities, housing and associations and charitable trusts. The Department of Environment and Department of Environment Northern Ireland, through the Housing Corporation, provides capital and revenue funding to offset costs of housing provision in some cases. The Government also funds the Women's Aid Federation England (£151,000 in 1995/96), and a national telephone helpline (£140,000 over 3 years). The Scottish Office provided funding to Scottish Women's Aid headquarters through a variety of grants (£180,000 in 1994/95) and the Urban Aid Programme funding of local refuges in Scotland provides 75% support to project costs of over £2 million in 1994/95.

It is difficult to assess precisely the number of refuges which provide accommodation for women and families escaping domestic violence as there is no simple definition of a refuge. However, since the first refuge was established in 1971 their numbers have increased so that it is now estimated that there are about 275 refuges for victims of domestic violence in Great Britain (200 in England, 35 in Wales, 40 in Scotland) used by an estimated 30,000 women and children in 1993, the most recent figures available.

In Northern Ireland, registered housing associations, which are funded by the Department of the Environment (NI), are mainly concerned with the provision of housing for people with special needs, including victims of domestic violence. Although the properties in question are owned by the associations, day-to-day management is carried out by voluntary organisations such as Women's Aid. To date, associations have provided eight women's refuges totalling 107 places and, under the Government's special house purchase initiative in 1992/93, an additional 13 properties were acquired for vulnerable women with children. A further two refuges with 61 places are under construction and ten further projects totalling 239 places are planned during the next three years.

Preventative Measures

A wide range of action is being undertaken to prevent domestic violence in the long term:

- schools may address issues of relevance to tackling domestic violence through the National Curriculum, their programme of sex education and in the wider curriculum through their programmes of personal, social and health education;
- a women's safety package which includes a section dealing with domestic violence was launched in May 1993 by the Scottish Crime Prevention Council;
- the Department of Health and Social Service in Northern Ireland commissioned a major study on domestic violence in 1993. The Report, "Bringing it out in the Open: Domestic Violence in Northern Ireland" confirmed the seriousness of domestic violence and highlighted the need for an inter-agency approach to the problem. Since the report's publication an Inter-Departmental Group on Domestic Violence has been established to produce a policy statement which would include the mechanisms for improving inter-agency co-ordination and links with the voluntary sector;
- the Home Office Programme Development Unit is currently funding several innovative projects over the next three years. The aim of the experimental approaches being taken in different parts of the country is to find out what works in tackling domestic violence.

C SENTENCING FOR VIOLENT AND SEXUAL OFFENCES

Substantial penalties have long been available to deal with the most serious violent and sexual offences. Life imprisonment is mandatory for murder. It is the maximum penalty for attempted murder, manslaughter, rape, buggery and wounding with intent to do grievous bodily harm. The powers of the courts have been increased where they have been found to be insufficient.

Rape

While the number of proceedings for rape has shown a steady increase in recent years, the number of men convicted has declined from 36% of those proceeded against in 1990 to 27% in 1993. One possible explanation is that more cases in which the complainant knows the accused are being reported than before, and these cases are harder to prove.

16.2 Males proceeded against for offences of rape by result 1990-93, England and Wales

Year	Proceeded against	Total found guilty	Total for sentence	Immediate custody	Other-wise dealt with
1990	1,463	541	541	490	51
1991	1,702	537	537	496	41
1992	1,647	493	494	447	47
1993	1,701	464	464	417	47

Source: Home Office

There have been a number of developments in the approach to and the law on rape:

- the Criminal Justice Act 1991 provided courts with powers to impose a longer sentence than would be justified by the seriousness of the offence alone if such a sentence is necessary to protect the public from serious harm. In addition, defendants charged with rape and attempted rape no longer have the right to bail, where they have a previous conviction for those offences. The Sexual Offences Act 1985 increased the maximum penalty for attempted rape to life imprisonment and of that for indecent assault on a woman to 10 years;

- In 1991 the House of Lords confirmed an earlier ruling by the Court of Appeal that rape within marriage was unlawful;

- the Sexual Offences Act 1993 abolished the presumption that boys between 10 and 13 cannot commit penetrative sexual offences;

- the Criminal Justice and Public Order Act 1994, abolished the requirement for judges to issue a mandatory warning about the possible unreliability of the evidence of rape victims;

- section 142 of the Criminal Justice and Public Order Act 1994 redefined the offence of rape from the original definition under section 1(1) of the Sexual Offences Act 1956 which made it an offence for a man to rape a women. Rape is now defined so as to cover non-consensual intercourse (either anal or vaginal) with either a man or a woman. Under section 142, a man commits rape if:

a. he has sexual intercourse with a person (whether vaginal or anal) who at the time of the intercourse does not consent to it: and

b. at the time he knows that the person does not consent to the intercourse or is reckless as to whether the person consents to it,

- in 1994, the Attorney General's power to refer unduly lenient sentences to the Court of Appeal was extended to include the offence of indecent assault, which means that all the most serious sexual offences are now covered. The Criminal Justice and Public Order Bill redefined the offence of rape to include non-consensual anal intercourse when it received Royal Assent in November 1994. This confers on victims of such offences the protection from cross-examination on sexual history previously only afforded to victims of vaginal rape.

In Scotland, rape and assault are dealt with under common law. The penalties which may be imposed by the courts are therefore restricted by the maximum sentencing power of the court in which a case is tried: where a case is heard on indictment, a sheriff sitting with a jury may impose a sentence of up to 3 years imprisonment, and a judge in the High Court may impose a sentence of up to life imprisonment. Rape cases and cases of serious assault and indecent assault are generally tried in the High Court. By virtue of the Prisoners and Criminal Proceedings (Scotland) Act 1993, the Lord Advocate may appeal to the Scottish Court of Appeal if he considers the sentence imposed in any such case to be unduly lenient.

As previously reported, the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 restricted the evidence admissible at trials of rape and other serious sexual assault in order to protect the complainer from intrusive questioning about her sexual background. Proposals to extend those restrictions are currently before Parliament in the Criminal Justice (Scotland) Bill.

Measures have been introduced to ensure that rape victims are not discouraged from reporting incidents, either by the police response or by the court process. Following Government guidance, rape examination suites have been set up by the police where distressed victims can be treated by women doctors wherever possible. Interviews with victims are usually carried out by women police officers. The aim is to treat victims sensitively and to provide them will full information about medical, support and counselling services.

ANNEX A

COMMENTARY ON UK RESERVATONS AND DECLARATIONS

Statements entered by the United Kingdom on 7 April 1986

(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

This declaration indicates the UK Government's understanding that the Convention allows the UK to maintain existing laws, regulations, customs and practices - for example, in the areas of sex equality, social security and immigration law set out under Articles 2, 4 and 9 of this report - which provide for women to be treated more favourably than men. There are no plans to withdraw it.

(b) The United Kingdom reserves the right to regard the provisions of the Sex Discrimination Act 1975, the Employment Protection (Consolidation) Act 1978, the Employment Act 1980, the Sex Discrimination (Northern Ireland) Order 1976, the Industrial Relations (No. 2) (Northern Ireland) Order 1976, the Industrial Relations (Northern Ireland) Order 1982, the Equal Pay Act 1970 (as amended) and the Equal Pay Act (Northern Ireland 1970) (as amended), including the exceptions and exemptions contained in any of these Acts and Orders, as constituting appropriate measures for the practical realisation of the objectives of the Convention in the social and economic circumstances of the United Kingdom, and to continue to apply these provisions accordingly; this reservation will apply equally to any future legislation which may modify or replace the above Acts and Orders on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

This statement accurately identifies the main legal provisions by which the UK implements the Convention and commits future UK legislation replacing the laws identified to being compatible with UK obligations under the Convention. It remains an accurate statement of Government policy. However, the UK Government no longer considers it necessary to list laws in such detail, and can therefore agree to withdraw this statement.

(c) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed Forces of the Crown.

This statement indicates those areas where UK law or custom is distinctive.

Succession to the throne is governed by the Act of Settlement 1700 which provides that the line shall pass to the Sovereign's sons, and then daughters, in order of their birth. The vast majority of hereditary peerages descend to the eldest male heir. Both these practices reflect many centuries of tradition, and many UK citizens see them as an integral part of British identity. Government policy is not to consider proposing change without very clear evidence of widespread dissatisfaction among those most closely affected.

It is general United Kingdom Government policy that the affairs of religious denominations are primarily the concern of the denominations themselves. Fundamental questions about the basic human right to practise a religion peacefully are involved. Organised religions are in general exempted from UK sex discrimination legislation. However, it should be noted that the Church of Ireland voted for the ordination of women priests in 1990 and the Church of England in 1992.

The Government has now amended the Sex Discrimination Act 1975 to repeal the exemption for the armed forces. Women in the great majority of armed forces posts now have equal rights in law with men, although a provision has been included that nothing done for the purposes of combat effectiveness is unlawful under national law. This provision recognises that some areas of employment are likely to remain closed to women where it is considered that their presence could impair combat effectiveness.

There are therefore no plans to withdraw this statement.

(d) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as it may deem necessary from time to time and, accordingly, its acceptance of article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom.

This statement will remain. It is commented upon jointly with that under Article 9.

Article 1

With reference to the provisions of the Sex Discrimination Act 1975 and other applicable legislation, the United Kingdom's acceptance of Article 1 is subject to the reservation that the phrase "irrespective of their marital status" shall not be taken to render discriminatory any difference of treatment accorded to single persons as against married persons, so long as there is equality of treatment as between married men and married women and as between single men and single women.

This statement clarifies the UK's understanding of this Article. The UK Government still believes that it is an accurate statement of the Article's meaning. However, the Government accepts that there is no need for this still to be explicitly stated. On this basis the UK Government wishes to withdraw the statement.

Article 2

In the light of the substantial progress already achieved in the United Kingdom in promoting the progressive elimination of discrimination against women, the United Kingdom reserves the right, without prejudice to the other reservations made by the United Kingdom, to give effect to subparagraphs (f) and (g) by keeping under review such of its law and regulations as may still embody significant differences in treatment between men and women with a view to making changes to those laws and regulations when to do so would be compatible with essential and overriding considerations of economic policy. In relation to forms of discrimination more precisely prohibited by other provisions of the Convention, the obligations under this article must (in the case of the United Kingdom) be read in conjunction with the other reservations and declarations made in respect of those provisions including the declarations and reservations of the United Kingdom contained in paragraphs (a)-(d) above.

This is essentially a clarificatory statement, indicating how the UK intends to comply with the Convention. It is inherent in the modern world and the nature of today's society that essential and overriding considerations of economic policy will affect the behaviour of national governments, and can affect the way that they are able to implement international obligations. However, the UK Government does not believe it necessary to continue to state this formally, and can therefore agree to withdraw this statement.

With regard to subparagraphs (f) and (g) of this article the United Kingdom reserves the right to continue to apply its law relating to sexual offences and prostitution; this reservation will apply equally to any future law which may modify or replace it.

UK law in the areas of sexual offences and prostitution has developed significantly in recent years. Full details are provided under Articles 6 and 16 of the main report. The UK Government does not now believe that this statement is still necessary, and is able to withdraw it.

Article 9

The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

Both the statement at (d) and that under Article 9 need to be retained in their present form. Whilst favouring women in some areas, the implementation of one aspect of immigration policy still discriminates against women. Recent changes in the law should, however, should lead to a phasing out of this discriminatory aspect in the longer term.

The British Nationality Act 1981 discriminates in favour of women in two areas:

(i) section 50(9) of the Act permits women to pass on their citizenship to any illegitimate children they might have, but does not accord the same right to men. This is because the father, in these circumstances, cannot always be safely identified;

(ii) a woman can qualify for resumption of British nationality, but not a man, in the following circumstances. If a person had a right, immediately before 1 January 1983, under section 1(1) of the British Nationality Act 1964, to register as a citizen of the United Kingdom and Colonies by virtue of having an appropriate qualifying connection with the United Kingdom or a Colony, or, if a woman, by virtue of marriage before 1 January 1983 to such a person, he or she is entitled under section 10(1) or 22(1) of the British Nationality Act 1981 to register as a British citizen or a British Dependent Territories citizen.

In addition, sections 10(2) and 22(2) of the 1981 Act give the Secretary of State discretion to grant an application for registration as a British citizen or a British Dependent Territories citizen by a person who before 1 January 1983 renounced citizenship of the United Kingdom and Colonies and who has an appropriate qualifying connection with the United Kingdom or a Colony. A woman is exempted from this last requirement by virtue of marriage to such a person. The UK's statement at (a) covers these points.

In another respect, sections 10 and 22 of the British Nationality Act may be said to discriminate against women. The appropriate qualifying connection with the United Kingdom or Colony (for example birth or naturalisation) must be through the person's father or paternal grandfather (sections 10(4) and 22(4) of the British Nationality Act 1981) if not applying directly to the person himself or herself.

There is no deadline regarding the submission of applications under sections 10 and 22 of the British Nationality Act 1981, but since an applicant must have been alive on

31 December 1982 it follows that it may be at least 60 years hence before the last qualified person dies. In this sense the provisions can be said to be transitional or temporary. As explained above, section 50(9) of the 1981 Act is a permanent provision.

Article 9

Note: Although the following two statements appear under the heading Article 9, they both apply to Article 10

The United Kingdom reserves the right to take such steps as may be necessary to comply with its obligations under Article 2 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Paris on 20 March 1952 and its obligations under paragraph 3 of Article 13 of the International Covenant on Economic, Social and Cultural Rights opened for signature at New York on 19 December 1966, to the extent that the said provisions preserve the freedom of parental choice in respect of the education of children; and reserves also the right not to take any measures which may conflict with its obligation under paragraph 4 of Article 13 of the said Covenant not to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject to the observation of certain principles and standards.

This remains an accurate statement of the UK's position on the freedom of parental choice and of individuals and bodies to establish and direct educational institutions. It was originally entered to clarify the UK position in respect of obligations under other international treaties. The UK Government no longer believes it is necessary to state this relationship explicitly and on this basis is able to withdraw this statement.

The United Kingdom can only accept the obligations under subparagraph (c) of Article 10 within the limits of the statutory powers of the central Government, in the light of the fact that the teaching curriculum, the provision of textbooks and teaching methods are reserved for local control and are not subject to central Government direction; moreover, the acceptance of the objective of encouraging coeducation is without prejudice to the right of the United Kingdom also to encourage other types of education.

This remains an accurate statement of how education is organised in the UK and of the UK Government's policy; in particular, the Government is responsible for the curriculum framework for education, local authorities for the details of its implementation. The reservation was originally entered for the purpose of clarification. The UK Government no longer believes it is necessary to state this explicitly and on this basis it is able to withdraw this statement.

Article 11

The United Kingdom interprets the "right to work" referred to in paragraph 1 (a) as a reference to the "right to work" as defined in other human rights instruments to which the United Kingdom is a party, notably Article 6 of the International Covenant on Economic, Social and Cultural Rights of 19 December 1966.

This statement remains an accurate description of the UK 's understanding of the term the "right to work" as defined in other human rights instruments. However the UK Government no longer believes it is necessary to state this explicitly and on this basis it is able to withdraw this statement.

The United Kingdom interprets paragraph 1 of article 11 in the light of the provisions of paragraph 2 of Article 4, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of the United Kingdom.

This statement clarifies the UK's understanding of this provision.

The statement remains an accurate expression of UK policy in this area: that restrictions on women's (or men's) employment could be justified on grounds of health and safety of the worker or the human foetus. However, leaving aside protection relating to maternity, it is UK Government policy for there to be no prohibitions, restrictions or conditions in force which apply to women's employment alone.

Over the last ten years the UK has removed some outdated legal prohibitions, which were originally seen as appropriate for protecting women but are now thought to restrict opportunities. Women can, for example, now work in coal mines.Special measures are provided in the United Kingdom to protect the function of reproduction for women in employment. Based on this review of UK statements, the Government's view is that these measures are compatible with the relevant obligations under the Convention (Article 4.2, Article 11.1 (f), Article 11.2 (d) and Article 11.3). Specific measures are considered in more detail under Article 11 of this report.

On this basis therefore, the UK Government can agree to withdraw this statement.

The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a social security scheme.

This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

These statements were made because at the time of accession, UK legislation affecting Retirement Pension and Widows Benefits allowed for women to be treated differently to men. This reflected historical work and retirement patterns.

Although UK social security law continues to move towards equality, it is not yet the case that all legislation is equalised. Men and women still retire at different ages and are slightly differently evaluated for benefits for adult dependents under retirement pensions. Changes are planned on retirement pensions. As part of the Pensions Bill, currently before Parliament, state pension age for men and women will be equalised at 65. The change will be phased in over ten years starting in April 2010. As part of this development any remaining inequality in payment of increases for adult dependants for those on retirement pension will be removed in April 2010.

Women aged over 45 receive widows benefits but their spouses can not receive a widowers benefit in the same way as men who pay contributions to the national insurance system are able to provide for a widows benefit for their spouse. There are no plans to change these arrangements, which are generally more favourable to women.

There are therefore no plans to withdraw this statement.

The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

(a) Social security benefits for persons engaged in caring for a severely disabled person under section 37 of the Social Security Act 1975 and section 37 of the Social Security (Northern Ireland) Act 1975;

(a) This statement can be withdrawn. The Social Security (Severe Disability Allowance and Invalid Care Allowance) Amendment Regulations 1994, which came into force on 28 October 1994, removed the discrimination against women which prior to this date had enforced an upper age limit for claiming of 60 for women as opposed to 65 for men.

(b) Increases of benefit for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;

(b) Except for Retirement Pension all increases for adult dependants are now provided on an equal basis for men and women. Legislation, currently before Parliament, will equalise Retirement Pension increases for all adult dependents from April 2010. Until that time this statement must remain.

(c) Retirement pensions and survivors' benefits under the Social Security Acts 1975 to 1982 and the Social Security (Northern Ireland) Acts 1975 to 1982;

(c) This statement can be withdrawn as this legislation no longer applies.

(d) Family income supplements under the Family Income Supplements Act 1970 and the Family Income Supplements Act (Northern Ireland) 1971.

(d) The position regarding the Family Income Supplements Act 1970, now replaced by the provisions for Family Credit under the Social Security Contributions and Benefits Act 1992 remains the same. This provides that in two parent families a claim to Family Credit is made by the mother, and any award is paid to her. Wide public consultation prior to the introduction of Family Credit revealed strong support for payment to the mother. However, general statement (a) already provides for women to be treated more favourably under UK law and practice, and we can withdraw this statement here.

This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in subparagraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

Reasoning set out as at (a) to (d) above. This statement can be withdrawn.

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

This statement reflects the fact that two UK maternity benefits (Maternity Allowance and Statutory Maternity Pay) have qualifying "thresholds" based on a woman's recent work history and record of National Insurance contribution; further details are provided under Article 2 of this report. Many other benefits are available to both men and women and have similar thresholds.

It is the UK Government's view that individuals, men or women, should not draw an earnings related benefit when they have paid no tax or national insurance contributions or have no history of recent employment. Those with no other income can claim help from the Income Support scheme. The Government has no plans to abolish these thresholds and this statement will remain.

Article 15

In relation to Article 15, paragraph 2, the United Kingdom understands the term "legal capacity" as referring merely to the existence of a separate and distinct legal personality.

This is an interpretive statement made only on the grounds of ensuring legal certainty. It remains accurate, but the UK does not believe it necessary to continue to state it formally. This statement can be withdrawn.

In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

This is an interpretive declaration. It is self-explanatory, and responds to what the UK perceives as a real ambiguity in the text of CEDAW. The Government does not believe it would be in the interests of women if the whole of a contract containing discriminatory elements were to be deemed null and void. It is important to avoid any possible doubt on this point. There are therefore no plans to withdraw this statement.

Article 16

As regards paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

This statement accurately reflects present UK law. The Adoption Act 1976 provides that, although the welfare of the child is the first consideration, it will not outweigh all factors. The UK Government believes that the question of the paramountcy or otherwise of the child's interest is not directly relevant to eliminating discrimination against women.

The Government is in the process of preparing legislation for a new Adoption Bill that will go forward, as soon as parliamentary time allows, and will if passed, essentially make the interests of the child paramount in any decision concerning adoption. If matters proceed as anticipated, we will be in a position to review the need for this statement.

The United Kingdom's acceptance of paragraph 1 of Article 16 shall not be treated as either limiting the freedom of a person to dispose of his property as he wishes or as giving a person a right to property the subject of such a limitation.

This paragraph is an interpretative declaration made simply to ensure legal certainty. It remains accurate but the UK no longer considers it necessary to state it explicitly. This statement can be withdrawn.

Once notification of withdrawal has been communicated to the Secretary General of the UN, in accordance with Article 28.3 of the Convention, the statements which will remain in respect of the United Kingdom will be as follows:

(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

(c) In the light of the definition contained in article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or

as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed Forces of the Crown.

(d) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as it may deem necessary from time to time and, accordingly, its acceptance of Article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom.

Article 9

The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

Article 11

The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a social security scheme.

This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

(b) Increases of benefit for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

Article 15

In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

Article 16

As regards paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

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